

DIOCESE OF SPOKANE

ADMINISTRATIVE POLICIES/PROCEDURES: PREVENTION, EDUCATION, AND REPORTING OF ABUSE

- A. PREVENTION AND EDUCATION PROGRAMS**
- B. POLICY/PROCEDURE: SEXUAL ABUSE OF MINORS AND/OR LEGALLY VULNERABLE ADULTS /ACQUIRING, POSSESSING OR DISTRIBUTING PORNOGRAPHIC IMAGES OF MINORS (USCCB Charter)**
- C. POLICY/PROCEDURE: PHYSICAL ABUSE AND/OR NEGLECT OF MINORS, YOUNG ADULTS, OR LEGALLY VULNERABLE ADULTS**
- D. POLICY/PROCEDURE: DIOCESAN CODE OF CONDUCT AND COMMITMENT OR BOUNDARY VIOLATIONS**
- E. POLICY/PROCEDURE: CLERGY SEXUAL MISCONDUCT WITH ANOTHER ADULT**

Note: Incidents between or among students occurring in the school setting are handled through the school's policies and procedures for preventing and addressing abuse of children.

INTRODUCTION

The Diocese of Spokane is committed to providing a safe environment for minors, young adults (18-21), vulnerable adults, and respectful boundaries between church persons, who are:

- Bishop(s)
- clergy - priests and deacons
- seminarians
- men and women religious
- employees – non-contracted and contracted school and parish employees and staff of other ministries within the Diocese of Spokane
- independent contractors
- volunteers

and those whom they serve.

These policies recognize that sexual, physical, and emotional abuse and neglect can be devastating for those who experience it. When church persons are perpetrators of these acts, victims and their families, as well as the entire Church community, are severely impacted.

These policies recognize that because abuse affects the whole Church, solutions must also involve the whole Church. These policies manifest the Diocese's continued work to 1) prevent sexual abuse and abusive behaviors, 2) respond to all reports, and 3) incorporate the provisions and amendments of the USCCB Charter and Essential Norms. **(Appendix I)**.

These policies and procedures align with the Diocese's commitment to:

- prevention and education programs
- [Click here to enter text.criteria](#) for reporting to law enforcement, Child Protective Services (CPS), or Adult Protective Services (APS), and the diocesan Victim Assistance Coordinator (VAC)
- professional care and support for victims and their families
- response to reports of sexual abuse, physical abuse or neglect of minors or legally vulnerable adults, and acquiring, possessing, or distributing pornographic images of minors

response to reports of violations of the Diocesan Code of Conduct and Commitment or boundary violations

- response to clergy sexual misconduct with another adult

A. PREVENTION AND EDUCATION PROGRAMS

The Diocese of Spokane's comprehensive safe environment program includes regular and ongoing education to prevent sexual abuse.

Educating Children

All children and youth registered in K-12 Catholic schools and parish religious education programs are trained annually by the local parish/school Safe Environment Coordinator/teachers/catechists. Schools and parishes retain records of those trained.

Educating Church Personnel

1. Clergy, seminarians, and employees

Before ministering in the Diocese, all clergy, seminarians, and employees must: pass a criminal background check and not be included on any list of credibly accused persons

- sign the Code of Conduct and Commitment
- complete the Disclosure Statement

Employees, clergy, and seminarians must complete the above three steps before their first day of work.

- complete VIRTUS Protecting God's Children and New Employee Orientation within 30 days of hire date
 - complete the VIRTUS annual online update
2. Volunteers, independent contractors, and women and men religious whose duties include contact with minors

Before ministering in the Diocese, all volunteers, contractors, and women and men religious whose duties include contact with minors must:

- pass a criminal background check and not be included on any list of credibly accused persons
- sign the Code of Conduct and Commitment
- complete the Disclosure Statement

Volunteers, contractors, and women and men religious must complete the above three steps before their first day of volunteering or ministering.

- complete VIRTUS Protecting God's Children within 30 days of beginning their ministry

The Bishop, pastor, principal, or institutional leader may implement further safe environment training at their discretion. Pastoral leaders are encouraged to err on the side of caution when deciding who should participate (see volunteer training guidelines). Training for those who provide pastoral care of the sick and homebound is strongly recommended with the understanding that local circumstances and training needs vary.

High school youth age 18 and over who volunteer or participate in youth activities must fulfill the same requirements as adult volunteers.

Youth volunteers under the age of 18 working with children must complete the Agreement for Youth [Volunteer Working with Minors](#), and pass a background check when they turn 18.

Criminal background checks must be passed initially and every five years thereafter.

The diocesan Office of Child and Youth Protection sends criminal background findings (convictions or charges pending) to the pastor and a Notification Letter to the person identified in the background check. Anyone with convictions or charges pending for felonies against persons or families, or the public order, or for indecency, or for possessing/distributing controlled substances is not permitted to minister to minors or legally vulnerable adults.

Schools/parishes/ministries retain employee and volunteer background consent forms and findings indefinitely.

B. POLICY/PROCEDURE: SEXUAL ABUSE OF A MINOR OR LEGALLY VULNERABLE ADULT/ACQUIRING, POSSESSING OR DISTRIBUTING PORNOGRAPHIC IMAGES OF MINORS (USCCB CHARTER)

The Duty to Report

Church persons who suspect that a minor or a legally vulnerable adult has suffered sexual abuse, regardless of who caused the abuse, are required to report the abuse to the proper law enforcement, CPS/APS, and the diocesan Victim Assistance Coordinator (VAC).

The duty to report does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult unless reasonable cause exists to believe other children are or may be at risk of abuse or neglect by the accused. However, the victim and his/her family are encouraged to report to legal authorities. The VAC assists them through the process. Always report the abuse to the Victim Assistance Coordinator no matter when it occurred.

Legally mandated reporters (**Appendix V**) can be held accountable by the state of Washington should they fail to report.

If the victim is in imminent danger, call 911 immediately, then notify the VAC.

If the victim is not in imminent danger, the victim and/or representative is directed to contact law enforcement, CPS/APS, and the VAC within 48 hours of learning of the abuse, regardless of how much time has passed since the abuse occurred.

Church persons who supervise others are required to report suspected sexual abuse of minors or legally vulnerable adults by those whom they supervise.

RCW 26.44.030 (1) (b)

When a church person discovers that another church person has acquired, possessed, or distributed pornographic images of a minor, the person making the discovery must report to law enforcement and the VAC when the discovery is made.

Because these are criminal acts, the Bishop requires that clergy, except under the seal of Confession, report any disclosed or suspected sexual abuse of minors or legally vulnerable adults to law enforcement and CPS/APS. The Bishop directs church persons to cooperate in all subsequent investigations. Clergy are subject to canonical penalties for failing to cooperate with an investigation.

Church persons who report abuse or child pornography to law enforcement and/or CPS/APS must also complete a diocesan [Notice of Report](#), submit it to the VAC, and keep a copy.

To report abuse by a Catholic Bishop [click here for the National Reporting page](#) or call 1-800- 276-1562.

If unsure how to proceed, CPS/APS and the VAC welcomes calls for consultation.

(Appendix VI Law Enforcement, CPS, and APS Contact Information)

The Diocese's Response and Actions

VAC's Role

The Victim Assistance Coordinator responds to phone calls within 24 hours of the next business day.

The VAC serves in a consultative role to the Bishop and Vicar General as the lead person in the Diocese's response to reported victims.

The VAC is the primary diocesan contact for continued communication with the victim and his/her family throughout the investigation.

If the victim is a minor at the time of the report, the VAC verifies with law enforcement and CPS/APS that a report has been received. If the suspected abuse has not been reported, the VAC files a preliminary report.

The VAC makes every effort to communicate with the person identified as a victim of sexual abuse. Information provided by the VAC to the abused/family includes:

- Bishop's offer to meet with the victim and his/her family
- VAC's contact information
- expected next steps after the Diocese receives a report
- the anticipated timing of (law enforcement or CPS/APS) investigation process
- actions the Diocese takes in response to credible accusations of sexual abuse by church personnel
- some possible emotional experiences after reporting and assurance to the victim/family that they were right to bring this information to the Diocese
- counseling, professional and pastoral support guided by the victim's unique needs and situation according to diocesan policies

The Bishop or his representative informs the accused individual that a plausible accusation has been made, that an investigation by proper authorities begins immediately. Without assuming guilt, the accused individual is relieved of his/her duties during the investigation. Employees are placed on paid administrative leave.

The Diocese is guided by discretion in protecting the privacy of individuals involved, informing only those who need to know to assist with investigation and resolution. Church persons who suspect that a minor or a legally vulnerable adult has suffered sexual abuse, regardless of who caused the abuse, are required to report the abuse first to the proper law enforcement, then to CPS/APS and the diocesan Victim Assistance Coordinator (VAC).

Care is taken to protect the rights of all parties involved.

The Church desires to reconcile with victims and their families and to demonstrate a sincere commitment to their spiritual well-being. The Diocese initiates a process of reconciliation and healing. The Bishop offers to meet with victims and their families, listen with patience and compassion to their experiences and concerns, offer an apology, and share the “profound sense of solidarity and concern” expressed by Pope John Paul II (Address to Cardinals of the United States, April 23, 2002).

The Bishop/Diocese “will not enter into settlements that bind the parties to confidentiality unless the victims/survivors request confidentiality”. Charter #3.

The Diocese and church persons cooperate in all investigations.

If the accused is a cleric:

Without assuming guilt, the Bishop informs the accused of the plausible accusation, immediately removes the cleric from ministry throughout the investigation in accord with canon 1722 and the Essential Norms #6.

The Bishop or his representative advises the accused cleric of available support, including referral to legal, canonical, and healthcare professionals (Essential Norms #6).

If the accused is an employee or volunteer:

Without assuming guilt, the Diocese informs the accused of the plausible accusation, immediately removes the accused from his/her duties throughout the investigation, and advises him/her to seek legal counsel.

The Diocese takes appropriate action to protect the reporter of the sexual abuse from retaliation.

The Diocesan Review Board’s Role

All plausible accusations of sexual abuse of minors or legally vulnerable adults by clergy are reported to the Diocesan Review Board. The Review Board is updated throughout the process. Considering all known facts and circumstances the Board may recommend:

- a cleric’s permanent removal from, or return to ministry, determined by the outcome of the investigation
- monitoring and supervision
- concerns the Board deems worthy of further investigation or action

The Board serves as a consultative body to the Bishop on non-charter accusations at his discretion.

Consequences for Those Who Have Been Credibly Accused

The Diocese is committed to holding church persons accountable for violating the law and these policies/procedures. Actions are guided by civil law, canon law, the Charter and Essential Norms, this policy, the Diocesan Review Board, and the discernment of the Bishop and his advisors.

Consequences for Credibly Accused Clergy:

- Clergy are permanently removed from ministry and subject to additional canonical penalties in accord with the Charter Essential Norms #8 and #9.
- If the Diocese learns that a former cleric with a record of sexual abuse is seeking ministerial placement elsewhere, the Bishop of Spokane immediately notifies the Ordinary or ecclesiastical authority of the facts and circumstances in the Spokane Diocese.

The Diocese recognizes that a cleric who has admitted to or been found to have sexually abused a minor or legally vulnerable adult will never return to ministry, employment, or volunteer status in the Diocese of Spokane or any other diocese. In every case involving canonical penalties, the canon process law must be observed.

When deemed appropriate, the cleric is encouraged to request voluntary dismissal from the clerical state. Should he not do so, the Diocese will ordinarily pursue involuntary dismissal from the clerical state. If dismissal from the clerical state is not pursued due to advanced age or infirmity, the Bishop makes every effort to ensure the continued safety of children and vulnerable adults.

Supervision is recommended under the Bishop and Vicar General's oversight and must reflect the primary goals of protecting children and legally vulnerable adults.

A Diocese of Spokane cleric with a credible accusation of sexual abuse is never transferred to a ministerial position in another diocese.

The Bishop notifies other dioceses' local ordinaries of credibly accused clergy of the Diocese of Spokane who are known to live in those dioceses.

Consequences for Employee or Volunteer Offenders:

In all cases of credible accusations of sexual abuse of a minor or legally vulnerable adult, or an incident involving child pornography, even if it is a single incident, the employment or volunteer status of the individual is terminated, and his/her employment or volunteer status is prohibited elsewhere in the Diocese.

Information about former employees or volunteers with credible accusations of sexual abuse is disclosed to others making a legitimate inquiry.

Reconciliation for the Parish Where Sexual Abuse Occurred

The Bishop or his representative helps promote healing and understanding within a parish community by speaking with parish members, offering apologies, and praying with them.

[See Diocesan Communication policy](#) for notification of other assignment locations, parishes, schools, and public communication.

Justice for Those with Unfounded Accusations

When an accusation is not credible, steps are taken to restore the accused person's reputation.

A complete, confidential file of the accusation, the investigation, and the resolution is maintained in a secure file at the Chancery.

C. POLICY/PROCEDURE: PHYSICAL ABUSE OR NEGLECT OF MINORS AND/OR LEGALLY VULNERABLE ADULTS

The Duty to Report

When church persons suspect that a minor or a legally vulnerable adult has suffered physical abuse or neglect, regardless of who caused the abuse, they are required to report the incident to law enforcement, CPS/APS, and the VAC.

Legally mandated reporters (Appendix V) can be held accountable by the state of Washington should they fail to report.

If the victim is in imminent danger, call 911 immediately and notify the VAC

If the victim is not in imminent danger, the victim and/or representative is directed to contact law enforcement, CPS/APS, and the VAC within 48 hours of learning of the abuse, regardless of how much time has passed since the abuse occurred.

The VAC verifies that a report has been made to law enforcement and CPS/APS and notifies the Bishop and Vicar General. If the suspected abuse or neglect has not been reported, the VAC provides a preliminary report.

Church persons who supervise others are required to report suspected physical abuse or neglect of minors and legally vulnerable adults by those they supervise. Cited from RCW 26.44.030 (1) (b) and RCW 74.34.020 (11). Appendix III: Contact information for the Diocese, Law Enforcement, CPS, and APS.

Recognizing the criminal nature of these acts, the Bishop requires that clergy, except under the seal of Confession, and other church persons report any disclosed or suspected abuse of minors or legally vulnerable adults to CPS/APS and/or law enforcement. The Bishop directs church persons to cooperate in any subsequent CPS/APS, law enforcement, or diocesan investigation.

If unsure how to proceed, CPS/APS and the VAC welcomes calls for consultation.

The Diocese's Response and Actions

The Diocese is committed to holding church persons accountable for violating the law and a sacred trust when accusations are deemed credible. Actions are guided by civil law, Canon law, this policy, and the discernment of the Bishop and his advisors.

The Diocese verifies that the suspected abuse is reported to law enforcement and CPS/APS and cooperates with authorities.

Care is taken to protect the rights of all parties involved.

Church persons for whom a plausible accusation of abuse or neglect has been established are removed from their position while the accusation is investigated. Employees are placed on paid administrative leave.

If the accusation is ultimately deemed credible, consequences for the perpetrator are based on the gravity of the incident(s) and comply with the latest State of Washington RCW's.

The Diocese and church persons cooperate in all investigations.

If the accusation is deemed not credible, every effort is made to restore the accused's good name and reputation.

A complete, confidential file of the complaint, the investigation, and the resolution is maintained in a secure file at the Chancery.

D. POLICY/PROCEDURE: DIOCESAN CODE OF CONDUCT AND COMMITMENT OR BOUNDARY VIOLATIONS

Code of Conduct and Commitment violations may be signs of grooming of minors, young adults, or legally vulnerable adults. Plausible accusations must be reported to the administrator, principal, pastor or supervisor, and the VAC or Vicar General.

At Bishop's request, the VAC works with Bishop, Vicar General, or diocesan human resources if the accusation involves an employee, to investigate the situation, determine if the accusation is credible, and follows through as appropriate.

Follow-up actions are based on the facts and circumstances of the incident(s), always erring on the side of safety for minors, young adults, and vulnerable adults.

The VAC (or diocesan Human Resources) maintains a comprehensive file of the investigation and follow-up actions.

Reporting Code of Conduct Violations

If a church person suspects or observes any other church person engaging in grooming behavior or violating the Code of Conduct and Commitment, the church person reports this information first to the offending church person's supervisor, principal, pastor or administrator, then to the Victim Assistance Coordinator and/or the Bishop or Vicar General.

The person receiving the report documents the reporter's concerns, the accused's name and specific behaviors, the investigation outcome and actions taken.

At Bishop's request, the VAC works with Bishop and Vicar General, and/or diocesan Human Resources to investigate a plausible accusation and follow through as appropriate, consistent with facts and the seriousness of the accusation. The Bishop makes the ultimate decision regarding how Code of Conduct and Commitment violations are resolved if the credible accusation is against a cleric.

E. POLICY/PROCEDURE: CLERGY SEXUAL MISCONDUCT WITH ANOTHER ADULT

These procedures are intended to ensure that the Diocese appropriately responds to a plausible accusation that a cleric, incardinated or ministering in the Diocese of Spokane, has engaged in sexual misconduct with another adult. Another adult can be an employee within the Diocese, parishioner, volunteer, or an individual not associated with the Diocese of Spokane. The Bishop refers plausible accusations against members of religious orders or extern priests to proper religious Ordinary.

With due regard for the moral standards of deacons in the married state, canon 277 outlines the norms to be observed by clergy bound by celibacy.

The Diocese of Spokane recognizes that when a cleric engages in sexual misconduct with another adult, it is a grave matter because it violates the other adult's God-given human dignity, severely betrays the pastoral relationship, and breaks the cleric's commitment to chastity. It has the potential to cause real harm and can have lasting consequences for the other person and his or her family, for the Church community, and the involved cleric. The cleric always has greater responsibility to maintain appropriate boundaries and avoid engaging in any sexual behavior.

PROCEDURE GOALS

These procedures are designed to:

- respond to plausible accusations compassionately, justly, pastorally, and promptly
- implement appropriate sanctions for a credible accusation of sexual misconduct
- take steps to ensure the safety and protection of the other adult and the community
- offer pastoral care and counseling to adults who have experienced harm due to the cleric's sexual misconduct
- support the cleric in discerning his commitment to celibacy and chastity through evaluation and therapy

THE NATURE OF SEXUAL MISCONDUCT WITH AN ADULT

Sexual misconduct with another adult can take many forms and can occur in a variety of circumstances, including and not limited to when a cleric:

- engages in a sexual relationship with a willing adult
- takes sexual advantage of another adult or young adult
- intentionally engages in sexual contact of any kind in the context of providing pastoral care
- engages in sexual harassment, such as unwanted sexual advances, requests for sexual favors, or other sexually harassing conduct (see Code of Conduct and Commitment and Lay Employee Handbook Section Ten: Work Environment D. Unlawful Harassment)
- uses technology to sexually harass, stalk or exploit another adult
- engages in criminal conduct such as sexually assaulting another adult

Behaviors that may not rise to the level of sexual misconduct may still violate professional boundaries as described in the Diocese's Code of Conduct and Commitment "**Relationships Between Church Persons and Those They Serve**", such as when an emotionally or psychologically dependent relationship develops between the cleric and the adult or young adult. Behaviors that give rise to boundary violations or a dependent relationship may be misleading and have the potential to cause harm and scandal.

When the Diocese receives a plausible accusation that a cleric has engaged in sexual misconduct with another adult, the Diocese conducts an inquiry. Immediate intervention may be necessary to protect the sanctity of the ministerial relationship and to assure that the cleric acts in an ethical, respectful, and pastoral manner. In these instances, the cleric may need assistance to understand and maintain appropriate boundaries, know how others may perceive his conduct, correct behavior that is unintentional or misconstrued and discern his commitment to celibacy. If the accusation is deemed credible, the Bishop may issue a warning or rebuke, or if the situation warrants, he may impose a penal precept. Any scandal created must be repaired and justice restored for those impacted. In the most serious cases, the Bishop initiates a judicial or administrative process with canonical penalties up to dismissal from the clerical state.

STEPS TO REPORT AN ACCUSATION OF A CLERIC'S SEXUAL MISCONDUCT WITH ANOTHER ADULT

These steps describe the typical process; the Diocese may adjust these steps based on the totality of the circumstances. The accusation may be received by the Office of the Bishop, including the Vicar General, Director of Deacons, Victim Assistance Coordinator, or Bishop himself.

If the accusation is not initially directed to the VAC, the VAC is informed and involved throughout the entire process to ensure that complete documentation is maintained. If the other adult is an employee within the Diocese, diocesan Human Resources is involved to ensure compliance with Lay Employee Handbook policies and procedures are followed.

The person who receives the accusation reports to the Bishop, who designates one or more of his staff (VAC, Vicar General, Director of Deacons, or another agent) to obtain initial facts and determine if the accusation is plausible. This may entail interviews with the person bringing the accusation forward and the cleric whose misconduct is alleged.

This information is presented to Bishop/Vicar General with an initial determination of credibility. An accusation is considered credible if, based on a totality of the circumstances and facts, Bishop determines, more likely than not, that the alleged conduct occurred.

Bishop, in consultation with the Vicar General, determines if further investigation is needed and whether to engage an outside investigator.

Bishop may meet with the Diocesan Review Board or request the VAC to report the facts of the accusation to the Board for information and/or recommendations. The VAC facilitates communication between the Review Board and Bishop and Vicar General.

After determining that an accusation is credible, Bishop determines what actions to take with the cleric, up to and including permanent removal from ministry consistent with the nature of the accusation, the accused cleric's response, any relevant pattern of conduct, and other applicable information and circumstances.

The involved adult and family member(s) are offered spiritual support and therapy as appropriate, meeting with Bishop and/or VAC, who outlines the process, steps being taken, and probable timeline.

If the involved adult is an employee of any ministry within the Diocese, a parishioner or volunteer, the Diocese takes appropriate steps to restore the employee's working environment consistent with the Lay Employee Handbook, or other actions to safeguard the adult's right to participate in the parish, school, or diocesan community.

If the accusation involves criminal conduct, Bishop or his agent encourages the person to file a police report if he/she has not already done so. The Diocese consults its attorney and insurance carrier.

If the accusation is a delict in canon law, Bishop initiates an administrative or judicial process with canonical penalties and refers certain cases to the Holy See.

The complete confidential record of the accusation and the cleric's response, investigation, Bishop's determination of credibility, and actions taken are maintained in the cleric's personnel incident or Charter file, currently in VAC's office.

ASSISTANCE FOR THE ADULT AND THE FAMILIES

The Diocese is committed to providing appropriate pastoral and therapeutic support to the adult and family members who are harmed by a cleric's sexual misconduct with the adult. The VAC, Bishop, or Vicar General reach out to these adults and their families to assist them with pastoral care and counseling that is acceptable to them and responsive to their needs.

WHEN THE CLERIC ADMITS SEXUAL MISCONDUCT WITH AN ADULT

If a cleric admits the truth of a credible accusation(s) of sexual misconduct with another adult, depending on the seriousness of the conduct, Bishop may issue a formal warning or rebuke. He may impose restrictions on the cleric's ministry so the cleric may undergo counseling or engage in a support group while continuing in ministry.

Bishop may place the cleric on administrative leave and offer or insist upon a professional evaluation or a residential treatment program. Scandalous behavior may make continued ministry in the cleric's community untenable.

The Bishop may transfer the cleric to another community only when problematic behaviors are addressed and remedies appear to be effective. Bishop fully discloses the cleric's problematic behavior to that community's Bishop or provincial.

The outcome of therapy and evaluation or other circumstances may prompt the cleric to petition for dispensation from the obligations of ordination. The Bishop may or may not support this action.

Bishop or Vicar General advises the parishes/ministries impacted by the cleric's leave, removal, or transfer.

Scandalous conduct may preclude a cleric's continued ministry in the Diocese of Spokane, even though a positive assessment confirms his suitability for ministry. Bishop assists in seeking an assignment in another diocese; transfer is accompanied by full disclosure of the cleric's circumstances.

A complete, confidential file of the complaint, the investigation, and resolution is maintained in a secure file at the Chancery.

ANONYMOUS ACCUSATIONS AND THOSE RECEIVED THROUGH THIRD PARTIES/SOCIAL MEDIA

An accusation received anonymously or through third-party public sources such as social media platforms is communicated to the accused cleric. If the anonymous accusation involves a cleric taking sexual advantage of an adult in a pastoral care setting, the Diocese initiates an investigation to the extent possible, given the inherent power difference in the pastoral care relationship.

A complete, confidential file of anonymous and third-party complaints is maintained in a secure file at the Chancery.

CLERIC RETURN TO MINISTRY

A cleric's provisional administrative removal from ministry normally involves evaluation, therapy, or a treatment program.

The Bishop's decision to return a cleric to ministry considers the cleric's response to these efforts, protection for the involved adult, treatment progress, safeguards against relapse, and the potential for scandal.

Bishop seeks guidance from the Vicar General, VAC, Diocesan Review Board, and experts in the field, and may return the cleric to ministry with appropriate restrictions and follow-up program.

If return to ministry is not recommended, Bishop encourages the cleric to petition for a dispensation or initiate permanent removal from the clerical state.

A cleric who is permanently removed from ministry for any reason described in these policies/procedures but remaining in the Diocese of Spokane may be monitored.

COMMUNICATION BY THE DIOCESE

When Bishop removes a cleric from an assignment or ministry due to behavioral issues, he or his designee develops communication to the parish or diocesan community in advance and reviews it with the cleric and diocesan legal counsel. The public notice is straightforward without unnecessary details. Persons more intimately involved in a situation may have a greater right to know why certain decisions were made. The cleric has the opportunity to work with Bishop and Vicar General or delegate to determine what information should or should not be disclosed and to whom. Bishop will determine or approve the final texts for public and private disclosures.

Approved April 15, 2021, 5.1.21 Most Reverend Thomas A. Daly

APPENDIX I

United States Conference of Catholic Bishops (USCCB) Charter and Norms
<https://www.usccb.org/issues-and-action/child-and-youth-protection/upload/2011-Charter-booklet.pdf>

APPENDIX II DEFINITIONS

The Diocese accepts the most current State of Washington RCWs and the USCCB Charter for the Protection of Children and Young People. If the definitions conflict, the definition that provides the most protection to victims is used.

(Revised 12-9-2009, 3-2012)

ABUSE

Includes sexual abuse, physical abuse or neglect, and emotional abuse

ACCUSED

A person charged with or alleged to have committed an act of abuse, a serious violation of these policies and procedures, or a crime.

APS

Adult Protective Services

BISHOP ABUSE

To report abuse by a Catholic Bishop or a Bishop's mishandling of abuse accusations by clergy, [click here for the National Reporting](#) page or call 1-800- 276-1562.

CHARTER AND ESSENTIAL NORMS

The Charter for the Protection of Children and Young People, adopted by the United States Catholic Bishops in June of 2002, and incorporated in the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons. The revised Essential Norms are effective as particular law for the Catholic Churches of the United States (March 12, 2003, and revision of 2011).

CHILD/MINOR/YOUTH

See Minor

CPS

Child Protective Services

CHURCH PERSONS

All Diocese of Spokane incardinated priests and deacons, and other secular and religious clergy who hold ministerial assignments or who exercise public ministry with the Bishop's approval; Diocese of Spokane seminarians and seminarians of other Dioceses who are in the Spokane Diocese formation program; non-contracted and contracted staff and volunteers of parishes, schools and institutions in the Diocese (but not of institutions under the direction and governance of religious institutes and the staff and volunteers of Catholic Charities or hospitals).

CLERGY/CLERIC

Clergy/Cleric includes all ordained personnel: bishops, priests, deacons, and women and men religious.

CREDIBLE ACCUSATION

A plausible accusation (see plausible definition below) that, based on the totality of circumstances and information, including without limitation, corroborating evidence and explicit or implicit admissions, is deemed credible on a more likely than not standard.

DIOCESAN REVIEW BOARD

The Review Board is a confidential consultative body to the Bishop and his Vicars whose mission is to oversee the implementation of policies and procedures to prevent and respond to sexual abuse, sexual misconduct, and, at the Bishop's discretion, other inappropriate behavior by church personnel.

DISCLOSURE STATEMENT

Diocesan criminal background reporting completed by all church personnel

FELONIES AGAINST PERSONS

See Disclosure Statement

MINOR

For this policy, a minor is any person under the age of 18

OFFICE OF THE BISHOP

The Bishop, Vicar General, Judicial Vicar, Vicar for Finance, and Vicar for Priests

PLAUSIBLE ACCUSATION

An accusation involving an incident that, based on objective facts initially presented, could have occurred, e.g. the individual (s) named in the accusation was in the same location as the complainant and/or had the ability to communicate with the complainant. Church persons with plausible accusations against them are temporarily removed from ministry or placed on paid administrative leave during the subsequent investigation.

RCW

Revised Code of Washington

SEXUAL ABUSE

Includes any act or interaction whether it involves genital or physical contact, with or without consent even if initiated by the child or vulnerable adult, which involves sexual contact, molestation or sexual exploitation by a parent or any other person who has permanent or temporary care, custody or responsibility for supervision of a minor or vulnerable adult, whether or not physical injuries are sustained. These actions include but are not limited to:

The intentional touching of the genitals or intimate parts including the female breast, the genital area, groin, inner thigh or buttocks of a minor or vulnerable adult, or of a perpetrator by a minor or vulnerable adult, for purposes of sexual arousal or gratification.

Rape, sexual intercourse (vaginal or anal), oral/genital, or oral/anal contact

The intentional touching and/or displaying of one's own genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks in the presence and view of a minor or vulnerable adult for purposes of sexual arousal or gratification

Permitting, causing, encouraging or assisting in the depiction of or posing for viewing by any person, either in person or by way of graphic means including digital or photographic image of the partially or fully unclothed body of a minor or legally vulnerable adult, displaying intimate parts, in motion or not in motion, alone or with other persons, or the depiction of a minor in apparent observation of sex acts by others in the victim's presence

Displaying or distributing to a minor or vulnerable adult, any picture, photograph, book, pamphlet, digital image, movie or magazine the cover or content of which is principally made of descriptions or depictions of sex acts or contact or which consists of pictures of nude or partially denuded figures posed or presented in a manner which the average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest.

STAFF

Staff are paid church persons, employed by entities within the Diocese of Spokane. See Church Persons

SUSPECTED

A variety of information that causes a person to have an idea or impression of the existence, presence, or truth of (something) without certain proof.

USCCB

United States Conference of Catholic Bishops

VAC

Victim Assistance Coordinator

VOLUNTEER

Volunteers are unpaid church persons. See Church Persons.

VULNERABLE ADULT (defined by WAC388-71-0100 and Chapter 74.34 RCW)

Includes persons who are: sixty years of age or older who have the functional, mental, or physical inability to care for themselves and/or are found incapacitated, or (any age) adults who have a developmental disability or are admitted to any facility, or are receiving services from Home Health, Hospice, or Home Care Agencies.

WAC

Washington Administrative Code

APPENDIX III

CONTACT NUMBERS TO REPORT ABUSE OF MINORS AND LEGALLY VULNERABLE ADULTS TO LAW ENFORCEMENT, CPS/APS AND TO THE DIOCESE OF SPOKANE (IF IT INVOLVES A CHURCH PERSON)

Reports of observed or suspicions of physical or sexual abuse or neglect of a minor must be made first to law enforcement, CPS, and then the to the Diocese of Spokane Victims Assistance Coordinator if it involves any church person. Observed or suspicious abuse or neglect of a legally vulnerable must be made to Adult Protect Services or Washington State Department of Social and Health Services.

Child Abuse/Neglect Referrals:

Washington State Department of Social and Health Services (DSHS) 1-866-363-4276; DSHS can direct you to the proper reporting agency

Child Protective Services of Spokane

1-800-557-9671 (M-F 8AM - 4:30PM)

1-800-562-5624 (weekends and after 4:30) DSHS - 1-866-363-4276 (Statewide)

Spokane Adult Protective Services 509-323-9400

PARTIAL LIST OF LOCAL LAW ENFORCEMENT AGENCIES

Adams County	509-659-1122
Asotin County	509-243-4171
Columbia County	509-382-2518
Colville Tribal Police	(509) 634-4711 or 1 (800) 551-5800
Ferry County	509-775-3132
Franklin County	509-545-3500
Lincoln County	509-725-3501
Garfield County	509-843-3493
Okanogan County	800-572-6604
Pend Oreille County	800-669-3407
Spokane County Crime Reporting	509-456-2233
Spokane Crime Victims Crisis line	509-624-7273
Spokane Tribal Police	(509) 258-4400
Stevens County	800-572-0947
Walla Walla County	509-527-3265
Whitman County	509-397-6266 (after 5pm call 509-397-4341)

DIOCESAN CONTACT NUMBERS

Diocese of Spokane Victim Assistance Coordinator 509-353-0442 (confidential line)
Bishop of Spokane 509 358-7305

OR WRITE:

Catholic Diocese of Spokane
PO Box 1453
Spokane, WA 99210

Please address your letter to any of the above individuals, and mark your letter “personal and confidential”

APPENDIX IV

WASHINGTON STATE LAW CITATIONS

[Chpt. 26.44 RCW](#) [Duty to Report Child Abuse](#)

[Chpt. 9a.44 RCW](#) [Crimes against Children](#)

[Chpt. 74.34 RCW](#) [Abuse or neglect of Legally Vulnerable Adults](#)

APPENDIX V

MANDATED REPORTERS

These are legally required to report suspected abuse and neglect of minors and legally vulnerable adults, as designated by the Washington State Department of Child, Youth, and Family Services (DCYF)

- Medical practitioners
- Nurses
- Social service counselors/therapists
- Psychologists
- School personnel
- Child care providers
- Law enforcement officers

PERMISSIVE REPORTERS

Volunteers and other church persons who are not mandated reporters are encouraged to file a report of suspected abuse or neglect of minors and legally vulnerable adults