

Article 1

Policy Statement

The Diocese of Victoria recognizes that sexual abuse of minors constitutes one of the most serious breaches of trust in human relationships and that it can have devastating consequences for the victim and his/her family and for the church community at large. The Diocese of Victoria sets forth the following policy and procedure regarding sexual abuse of minors for the reasons stated above.

Article 2

Review Board

A review board of five persons, appointed by the bishop, will function as a confidential consultative body to assist him in discharging his responsibilities.

- 2.1 The bishop will appoint individuals as specified in the *Essential Norms for Diocesan Policies Dealing with Allegations of Sexual Abuse of Minors by Priests and Deacons* as approved December 8, 2002 (hereafter cited as “Essential Norms”).
- 2.2 The majority of the review board will be lay members who are not in the employ of the diocese, with at least one member being a priest, and at least one member having particular expertise in the area of sexual abuse of minors.
- 2.3 The members of the review board are to be appointed for a five-year term, which can be renewed at the discretion of the bishop.
- 2.4 The review board, in addition to other responsibilities indicated in “Essential Norms” and assigned to it by the bishop, will review allegations of sexual abuse of minors by priests or deacons that are brought to its attention.

Article 3

Victim Assistance Coordinator

- 3.1 The Diocese of Victoria will appoint a victims assistance coordinator for the immediate pastoral care of persons who allege sexual abuse by priests or deacons.
- 3.2 The victim assistance coordinator will offer means of spiritual care and support to individuals and families of victims of abuse.

Article 4

Reporting and Investigation

The Diocese of Victoria will respond promptly to any allegations where there is reason to believe that sexual abuse of a minor has occurred. All reporting complies with the following procedures:

4.1 Civil Reporting Requirements

- 4.1.1 Any instance of known or suspected sexual abuse of a minor must be reported to the civil authorities within 48 hours. This report should be made to the Texas Department of Protective and Regulatory Services at 1-800-252-5400.
- 4.1.2 This suspected sexual abuse of a minor, if diocesan personnel are involved, must also be reported to the appropriate diocesan authority, specifically, the bishop of Victoria, the chancellor or their representative.

4.2 Internal Diocesan Procedures When Allegations Are Made Against a Lay Employee or Lay Volunteer

- 4.2.1 The individual suspected of abuse will be immediately notified of the nature of the allegations and be placed on administrative leave pending the outcome of investigations by civil authorities.
- 4.2.2 If the individual is a member of a religious congregation, the president, provincial superior, or general superior will be contacted.
- 4.2.3 The individual suspected of abuse is to be directed to remain away from the location(s), which are the subject matter of the complaint until a resolution of the complaint is concluded. The person notifying the individual suspected of abuse will advise the person of his or her right to obtain his or her own attorney.
- 4.2.4 If the employee is arrested and charged, he or she will be placed on administrative leave.
- 4.2.5 If a lay employee or volunteer admits guilt, does not contest guilt, or there is a finding of guilt, he or she must be terminated immediately. The appropriate institutional authority shall notify the bishop in writing so that the employee's or volunteer's file may be properly noted and adequate safeguards taken in an effort to assure that the individual is not employed or utilized by the Diocese of Victoria in the future.

- 4.2.6 In instances where the individual suspected of abuse is not found guilty, a consultation by the appropriate institutional authority with the bishop or his delegate is to take place before restoration to duty.
- 4.2.7 The person designated to coordinate assistance to victims of sexual abuse and their families will offer means of spiritual care and support to these individuals.

4.3 Internal Diocesan Procedures When Allegations Are Made Against Priests and Deacons

- 4.3.1 The bishop of the Diocese of Victoria will be immediately notified.
- 4.3.2 The diocese will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation.
- 4.3.3 When an allegation of sexual abuse of a minor by a priest or a deacon is received, a preliminary investigation in keeping with canon law will be initiated and conducted promptly and objectively.
- 4.3.4 The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation.
- 4.3.5 When there is sufficient evidence that sexual abuse of a minor has occurred; the Congregation for the Doctrine of the Faith shall be notified.
- 4.3.6 Likewise, when there is sufficient evidence of sexual abuse of a minor, the bishop shall then remove the accused 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.
- 4.3.7 The alleged offender may be requested to seek and comply with an appropriate medical and psychological evaluation at a facility mutually acceptable to the Diocese of Victoria and the accused.
- 4.3.8 When a process of imposition of canonical penalties is called for as a result of the outcome of the primary investigation of 4.3.3 above and the response from the Congregation for the Doctrine of Faith, the procedures of canon law will be observed, in accord with the provisions of “Essential Norms”, No. 8.
- 4.3.9 The offending priest or deacon will be removed permanently from ecclesiastical ministry when even a single act of sexual abuse by said priest or deacon has been admitted or established, in accord with canon law.

4.3.10 No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese or religious province.

4.3.10.1 Before a priest or deacon can be transferred for residence to another diocese or religious province, his bishop or religious ordinary shall forward, in a confidential manner, to the local bishop, or religious ordinary of the proposed place of residence 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.

4.3.10.2 Every bishop or religious ordinary who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

4.3.11 Care will always be taken to protect the rights of all parties involved, particularly the rights of the person alleging sexual abuse and of the person against whom the charge has been made.

4.3.12 When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

Article 5

Education and Safe Environment

5.1 Application Process and Screening

5.1.1 All applicants for church personnel positions, whether for employment or volunteer service, are required to complete a standard application process that includes the release of information to conduct background checks.

5.1.2 The diocese will perform a criminal records check for the state of Texas and any other state the applicant has resided in the past five years.

5.1.3 Every effort will be made to ensure this process is completed on or before the beginning date of conditional employment or volunteer service.

5.2 Education for Child Protection

5.2.1 A diocesan educational program will be developed to include:

A. Awareness of signs of sexual abuse in children.

B. Appropriate boundaries with adults.

- C. Safe touch, and other issues to child physical and sexual abuse.
 - D. Procedures to report sexual abuse, and guidelines to a pastoral response to all involved in sexual abuse.
 - E. Recommendations to prevent sexual abuse.
- 5.2.2 Church personnel of the Diocese of Victoria are required to attend an orientation program at which the *Code of Pastoral Conduct* and the *Policy: Sexual Abuse of Minors* are presented, reviewed, and explained.
- 5.2.3 Church personnel of the Diocese of Victoria will be required to attend periodic education sessions pertaining to various aspects of sexual abuse. Verification of attendance will be kept in their personnel files with the Diocese of Victoria.
- 5.2.4 All clergy and other church personnel within the diocese shall certify in writing that he/she has read and is familiar with the diocesan policy and procedures regarding the *Code of Pastoral Conduct* and the *Sexual Abuse of Minors*. Each individual's certification will be maintained in his or her personnel file.

Article 6

Release of Information

- 6.1 The Diocese of Victoria will not enter into confidential agreements except for grave and substantial reasons brought forward by the victim/ survivor and noted in the text of the agreement.
- 6.2 Only the bishop or his designee will respond to any news or other media inquiries regarding specific allegations of sexual abuse of a minor by church personnel.
- 6.3 Decisions regarding any public statement must be made on a case-by-case basis.
- 6.4 In any case, the designated spokesperson will adhere to the diocesan commitment in dealing with alleged incidents of sexual abuse of a minor in a responsibly open manner, still respecting the sensitivity, privacy and confidentiality of the victim and the accused party.