

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS
DOCUMENTATION

COMMITTEE ON PROTECTION OF CHILDREN AND YOUNG PEOPLE AND
NATIONAL REVIEW BOARD

SUBJECT: *Charter for the Protection of Children and Young People*

ACTION Does the body of bishops approve the revised *Charter for the Protection of Children and Young People* with the edits reflected as in the attached version?

VOTE: Majority of members present and voting

Spring General Meeting
June 15-17, 2011
Seattle, WA

COMMITTEE ON THE PROTECTION OF CHILDREN AND YOUNG PEOPLE

Members: Bishop Blase J. Cupich, Chair, Bishop Richard J. Malone (I), Bishop Dennis J. Sullivan (II), Bishop Timothy Senior (III), Bishop Mitchell T. Rozanski (IV), Bishop Richard Stika (V), Bishop Bernard Hebda (VI), Bishop Edward K. Braxton (VII), Bishop John M. LeVoir (VIII), Bishop Michael O. Jackels (IX), Bishop Patrick J. Zurek (X), Bishop Clarence Silva (XI), Bishop Michael W. Warfel (XII), Bishop Paul D. Etienne (XIII), Bishop John G. Noonan (XIV), and Bishop Gerald N. Dino (XV)

Consultants: Fr. Thomas Cassidy, SCJ, Fr. Paul Lininger, OFM Conv, Msgr. Ronny Jenkins, Fr. Shawn McKnight, Sr. Mary Ann Walsh, RSM, Mrs. Helen Osman, and Mr. Anthony Picarello

NATIONAL REVIEW BOARD

Members: Ms. Diane M. Knight, Chair, Dr. Ana Maria Catanzaro, Mr. Michael J. Clark, Dr. Ruben Gallegos, Dr. Antoine M. Garibaldi, Dr. Charles H. Handel, Dr. Emmet M. Kenney, Jr., Justice Robert C. Kohm, Judge Anna Moran, Mr. Al J. Notzon, III, Dr. Thomas G. Plante, Judge Geraldine Rivera, Dr. Susan Steibe-Pasalich, and Mr. Stephen Zappala Jr.

Staff: Ms. Teresa M. Kettelkamp, Ms. Mary Jane Doerr, Ms. Laura Garner, Ms. Cortney Kerns

Charter Review

Members of the Committee on the Protection of Children and Young People, the National Review Board, three consultants (Judge Michael Merz, Monsignor Stephen Rossetti and Fr. Paul Lininger of CMSM) and the Committee on Canonical Affairs and Church Governance have been engaged in a formal review of the *Charter on the Protection of Children and Young People* which was scheduled for presentation to the Body of Bishops at the November 2010 meeting in Baltimore.

In light of the publication of the new *Norms Concerning the Most Serious Crimes* by the Congregation for the Doctrine of the Faith on July 15, 2010, Bishop Cupich requested the Committee on Canonical Affairs and Church Governance formally review these new *Norms* and to identify any implications they might have for the *Charter* and the 2005 *Essential Norms*.

The members of the CCACG considered each of the modifications to the *motu proprio* and its possible impact on the *Essential Norms*. In this regard, they benefitted from an analysis of the question prepared by Msgr. Ronny E. Jenkins, in which he offered his own conclusions on the matter. The CCACG advised that no changes to the body of the *Essential Norms* are necessary. However, the CCACG advised that some modifications might be desired for the sake of clarity or other editorial precision which could be made through the use of footnotes rather than through modification to the body of the *Essential Norms*. In the mind of the CCACG

members, the inclusion of footnote references to the modifications and the other changes of a merely editorial nature would not require a subsequent request for review by the Holy See.

With regard to the text of the *Charter*, the CCACG again concluded that the body of the text does not require emendation in light of the modifications to the universal law. However, this text, too, might benefit from editorial changes that seek to specify modifications enacted to the law currently in force.

The footnote edits to the *Charter* and the *Norms* have been included accordingly on the attached version. There are two versions attached: one which reflects the edits in red, and one in which the edits have been incorporated into the text. As mentioned by the CCACG these edits do not require subsequent approval from the Holy See. The attached version of the *Charter* has been reviewed and approved by the members of the Administrative Committee, CPCYP, NRB and the three consultants.

Again, none of the proposed modifications to the text of the *Charter* would necessitate changes in the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* as revised, and approved by the members of the United States Conference of Catholic Bishops on June 17, 2005, subsequently approved by His Eminence, Giovanni Battista Cardinal Re, Prefect of the Congregation for Bishops on January 1, 2006 and promulgated by Bishop William S. Skylstad on May 5, 2006.

ACTION: Does the Body of Bishops approve the revised *Charter for the Protection of Children and Young People* with the edits reflected as in the attached version?

Bishop Blase J. Cupich
Chair
June 2011

Charter for the Protection of Children and Young People

The revised *Charter for the Protection of Children and Young People* was developed by the Ad Hoc Committee for Sexual Abuse of the United States Conference of Catholic Bishops (USCCB). It was approved by the full body of U.S. Catholic bishops at its June 2005 General Meeting, and this second revision was approved at the ~~November~~ June 2011–2010 General Meeting. The revised *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* was developed by the Ad Hoc Committee on Sexual Abuse of the USCCB and by the Vatican-U.S. Bishops' Mixed Commission on Sex Abuse Norms. They were approved by the full body of bishops at its June 2005 General Meeting, received the subsequent *recognitio* of the Holy See on January 1, 2006, and were promulgated May 5, 2006. The revised *Statement of Episcopal Commitment* was developed by the Ad Hoc Committee on Bishops' Life and Ministry of the USCCB. It was approved by the full body of U.S. Catholic bishops at its November 2005 General Meeting and then again in 2011. This revised edition, containing all three documents, is authorized for publication by the undersigned.

—Msgr. David J. Malloy, STD
General Secretary, USCCB

1
2 **Preamble**

3 Since 2002, the Church in the United States has experienced a crisis without precedent in our
4 times. The sexual abuse of children and young people by some deacons, priests, and bishops, and
5 the ways in which these crimes and sins were addressed, have caused enormous pain, anger, and
6 confusion. As bishops, we have acknowledged our mistakes and our roles in that suffering, and
7 we apologize and take responsibility again for too often failing victims and the Catholic people
8 in the past. From the depths of our hearts, we bishops express great sorrow and profound regret
9 for what the Catholic people have endured.

10
11 ~~Again, w~~With this ~~2010~~ revision of the *Charter for the Protection of Children and Young*
12 *People*, we re-affirm our deep commitment to creating a safe environment within the Church for
13 children and youth. We have listened to the profound pain and suffering of those victimized by
14 sexual abuse and will continue to respond to their cries. We have agonized over the sinfulness,
15 the criminality, and the breach of trust perpetrated by some members of the clergy. We have
16 determined as best we can the extent of the problem of this abuse of minors by clergy in our
17 country, ~~as well as commissioned a and we await the results of a~~ study of the causes and context
18 of this problem.

19
20 We continue to have a special care for and a commitment to reaching out to the victims of sexual
21 abuse and their families. The damage caused by sexual abuse of minors is devastating and long-
22 lasting. We apologize to them for the grave harm that has been inflicted on them, and we offer
23 our help for the future. The loss of trust that is often the consequence of such abuse becomes
24 even more tragic when it leads to a loss of the faith that we have a sacred duty to foster. We
25 make our own the words of His Holiness, Pope John Paul II: that the sexual abuse of young
26 people is “by every standard wrong and rightly considered a crime by society; it is also an
27 appalling sin in the eyes of God” (Address to the Cardinals of the United States and Conference
28 Officers, April 23, 2002).

29
30 Along with the victims and their families, the entire Catholic community in this country has
31 suffered because of this scandal ~~and its consequences~~. In the last ~~three-nine~~ years, the intense

1 public scrutiny of the minority of the ordained who have betrayed their calling has caused the
2 vast majority of faithful priests and deacons to experience enormous vulnerability to being
3 misunderstood in their ministry and even to the possibility of false accusations. We share with
4 them a firm commitment to renewing the image of the vocation to Holy Orders so that it will
5 continue to be perceived as a life of service to others after the example of Christ our Lord.

6
7 We, who have been given the responsibility of shepherding God’s people, will, with his help and
8 in full collaboration with all the faithful, continue to work to restore the bonds of trust that unite
9 us. Words alone cannot accomplish this goal. It will begin with the actions we take in our
10 General Assembly and at home in our dioceses and eparchies.

11
12 We feel a particular responsibility for the “the ministry of reconciliation” (2 Cor 5:18) which
13 God, who reconciled us to himself through Christ, has given us. The love of Christ impels us to
14 ask forgiveness for our own faults but also to appeal to all—to those who have been victimized,
15 to those who have offended, and to all who have felt the wound of this scandal—to be reconciled
16 to God and one another.

17
18 Perhaps in a way never before experienced, we have felt the power of sin touch our entire
19 Church family in this country; but as St. Paul boldly says, God made Christ “to be sin who did
20 not know sin, so that we might become the righteousness of God in him” (2 Cor 5:21). May we
21 who have known sin experience as well, through a spirit of reconciliation, God’s own
22 righteousness. We know that after such profound hurt, healing and reconciliation are beyond
23 human capacity alone. It is God’s grace and mercy that will lead us forward, trusting Christ’s
24 promise: “for God all things are possible” (Mt 19:26).

25
26 In working toward fulfilling this responsibility, we have relied first of all on Almighty God to
27 sustain us in faith and in the discernment of the right course to take.

28
29 We have received fraternal guidance and support from the Holy See that has sustained us in this
30 time of trial.

1 We have relied on the Catholic faithful of the United States. Nationally and in each diocese, the
2 wisdom and expertise of clergy, religious, and laity have contributed immensely to confronting
3 the effects of the crisis and taking steps to resolve it. We are filled with gratitude for their great
4 faith, for their generosity, and for the spiritual and moral support that we have received from
5 them.

6
7 We acknowledge and affirm the faithful service of the vast majority of our priests and deacons
8 and the love that their people have for them. They deservedly have our esteem and that of the
9 Catholic people for their good work. It is regrettable that their committed ministerial witness has
10 been overshadowed by this crisis.

11
12 In a special way, we acknowledge those victims of clergy sexual abuse and their families who
13 have trusted us enough to share their stories and to help us appreciate more fully the
14 consequences of this reprehensible violation of sacred trust.

15
16 Let there now be no doubt or confusion on anyone's part: For us, your bishops, our obligation to
17 protect children and young people and to prevent sexual abuse flows from the mission and
18 example given to us by Jesus Christ himself, in whose name we serve.

19
20 As we work to restore trust, we are reminded how Jesus showed constant care for the vulnerable.
21 He inaugurated his ministry with these words of the Prophet Isaiah:

22
23 The Spirit of the Lord is upon me,
24 because he has anointed me
25 to bring glad tidings to the poor.
26 He has sent me to proclaim liberty to captives
27 and recovery of sight to the blind,
28 to let the oppressed go free,
29 and to proclaim a year acceptable to the Lord. (Lk 4:18-19)

30

1 In Matthew 25, the Lord, in his commission to his apostles and disciples, told them that
2 whenever they show mercy and compassion to the least ones, they show it to him.

3
4 Jesus extended this care in a tender and urgent way to children, rebuking his disciples for
5 keeping them away from him: “Let the children come to me” (Mt 19:14). And he uttered a grave
6 warning that for anyone who would lead the little ones astray, it would be better for such a
7 person “to have a great millstone hung around his neck and to be drowned in the depths of the
8 sea” (Mt 18:6).

9
10 We hear these words of the Lord as prophetic for this moment. With a firm determination to
11 restore the bonds of trust, we bishops recommit ourselves to a continual pastoral outreach to
12 repair the breach with those who have suffered sexual abuse and with all the people of the
13 Church.

14
15 In this spirit, over the last ~~three- nine~~ years, the principles and procedures of the *Charter* have
16 been integrated into church life.

- 17
- 18 • The ~~Office for Secretariat of~~ Child and Youth Protection provides the focus for a
19 consistent, ongoing, and comprehensive approach to creating a secure environment for
20 young people throughout the Church in the United States.
 - 21
 - 22 • The ~~Office Secretariat~~ also provides the means for us to be accountable for achieving the
23 goals of the *Charter*, as demonstrated by its ~~two-annual~~ reports on the implementation of
24 the *Charter* based on independent compliance audits.
 - 25
 - 26 • The National Review Board is carrying on its responsibility to assist in the assessment of
27 diocesan compliance with the *Charter for the Protection of Children and Young People,*
28 ~~and to commission studies on the sexual abuse of minors, and it has issued its own Report~~
29 ~~on the Crisis in the Catholic Church in the United States.~~
 - 30

1 • The descriptive study of the nature and scope of sexual abuse of minors by Catholic
2 clergy in the United States, commissioned by the National Review Board, has been
3 completed. The resulting study, examining the historical period 1950-2002, by the John
4 Jay College of Criminal Justice provides us with a powerful tool not only to examine our
5 past but also to secure our future against such misconduct.

6
7 • The U.S. bishops charged the National Review Board to oversee the completion of the
8 Causes and Context Study.

9
10 • Victims' assistance coordinators are in place throughout our nation to assist dioceses in
11 responding to the pastoral needs of those who have been injured by abuse.

12
13 • Diocesan/eparchial bishops in every diocese are advised and greatly assisted by diocesan
14 review boards as the bishops make the decisions needed to fulfill the *Charter*.

15
16 • Safe environment programs are in place to assist parents and children—and those who
17 work with children—in preventing harm to young people. These programs continually
18 seek to incorporate the most useful developments in the field of child protection.

19
20 Through these steps and many others, we remain committed to the safety of our children and
21 young people.

22
23 While it seems that the scope of this disturbing problem of sexual abuse of minors by clergy has
24 been reduced over the last decade, the harmful effects of this abuse continue to be experienced
25 both by victims and dioceses.

26
27 Thus it is with a vivid sense of the effort which is still needed to confront the effects of this crisis
28 fully and with the wisdom gained by the experience of the last six years that we have reviewed
29 and revised the *Charter for the Protection of Children and Young People*. We now re-affirm that
30 we will assist in the healing of those who have been injured, will do all in our power to protect
31 children and young people, and will work with our clergy, religious, and laity to restore trust and

1 harmony in our faith communities, as we pray for God’s kingdom to come, here on earth, as it is
2 in heaven.

3
4 To make effective our goals of a safe environment within the Church for children and young
5 people and of preventing sexual abuse of minors by clergy in the future, we, the members of the
6 United States Conference of Catholic Bishops, have outlined in this *Charter* a series of practical
7 and pastoral steps, and we commit ourselves to taking them in our dioceses and eparchies.

8
9 **To Promote Healing and Reconciliation with**
10 **Victims/Survivors of Sexual Abuse of Minors**

11
12 **ARTICLE 1.** Dioceses/eparchies are to reach out to victims/survivors and their families and
13 demonstrate a sincere commitment to their spiritual and emotional well-being. The first
14 obligation of the Church with regard to the victims is for healing and reconciliation. Each
15 diocese/eparchy is to continue its outreach to every person who has been the victim of sexual
16 abuse* as a minor by anyone in church service, whether the abuse was recent or occurred many
17 years in the past. This outreach may include provision of counseling, spiritual assistance, support
18 groups, and other social services agreed upon by the victim and the diocese/eparchy.

19
20 Through pastoral outreach to victims and their families, the diocesan/eparchial bishop or his
21 representative is to offer to meet with them, to listen with patience and compassion to their
22 experiences and concerns, and to share the “profound sense of solidarity and concern” expressed
23 by His Holiness, Pope John Paul II, in his Address to the Cardinals of the United States and
24 Conference Officers (April 23, 2002). Pope Benedict XVI, too, in his address to the U.S. bishops
25 in 2008 said of the clergy sexual abuse crisis, “It is your God-given responsibility as pastors to
26 bind up the wounds caused by every breach of trust, to foster healing, to promote reconciliation
27 and to reach out with loving concern to those so seriously wronged.”

28
29 We bishops and eparchs commit ourselves to work as one with our brother priests and deacons to
30 foster reconciliation among all people in our dioceses/eparchies. We especially commit ourselves

1 to work with those individuals who were themselves abused and the communities that have
2 suffered because of the sexual abuse of minors that occurred in their midst.
3

4 **ARTICLE 2.** Dioceses/eparchies are to have policies and procedures in place to respond
5 promptly to any allegation where there is reason to believe that sexual abuse of a minor has
6 occurred. Dioceses/eparchies are to have a competent person or persons to coordinate assistance
7 for the immediate pastoral care of persons who report having been sexually abused as minors by
8 clergy or other church personnel. The procedures for those making a complaint are to be readily
9 available in printed form in the principal languages in which the liturgy is celebrated in the
10 diocese/eparchy and be the subject of public announcements at least annually.
11

12 Dioceses/eparchies are also to have a review board that functions as a confidential consultative
13 body to the bishop/eparch. The majority of its members are to be lay persons not in the employ
14 of the diocese/eparchy (see Norm 5 in *Essential Norms for Diocesan/Eparchial Policies Dealing*
15 *with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 2006). This board is to advise
16 the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in
17 his determination of a cleric's suitability for ministry. It is regularly to review diocesan/eparchial
18 policies and procedures for dealing with sexual abuse of minors. Also, the board can review
19 these matters both retrospectively and prospectively and give advice on all aspects of responses
20 in connection with these cases.
21

22 **ARTICLE 3.** Dioceses/eparchies are not to enter into settlements which bind the parties to
23 confidentiality unless the victim/survivor requests confidentiality and this request is noted in the
24 text of the agreement.
25

26 **To Guarantee an Effective Response to Allegations of**
27 **Sexual Abuse of Minors**
28

29 **ARTICLE 4.** Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a
30 minor to the public authorities. Dioceses/eparchies are to comply with all applicable civil laws

1 with respect to the reporting of allegations of sexual abuse of minors to civil authorities and
2 cooperate in their investigation in accord with the law of the jurisdiction in question.

3
4 Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the
5 person is no longer a minor.

6
7 In every instance, dioceses/eparchies are to advise victims of their right to make a report to
8 public authorities and support this right.

9
10 **ARTICLE 5.** We affirm the words of His Holiness, Pope John Paul II, in his Address to the
11 Cardinals of the United States and Conference Officers: “There is no place in the priesthood or
12 religious life for those who would harm the young.”

13
14 Sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395
15 §2; CCEO, c. 1453 §1). Because of the seriousness of this matter, jurisdiction has been reserved
16 to the Congregation for the Doctrine of the Faith (*Motu proprio Sacramentorum sanctitatis*
17 *tutela*, AAS 93, 2001). Sexual abuse of a minor is also a crime in all civil jurisdictions in the
18 United States.

19
20 Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor*—
21 whenever it occurred—which is admitted or established after an appropriate process in accord
22 with canon law, the offending priest or deacon is to be permanently removed from ministry and,
23 if warranted, dismissed from the clerical state. In keeping with the stated purpose of this *Charter*,
24 an offending priest or deacon is to be offered therapeutic professional assistance both for the
25 purpose of prevention and also for his own healing and well-being.

26
27 The diocesan/eparchial bishop is to exercise his power of governance, within the parameters of
28 the universal law of the Church, to ensure that any priest or deacon subject to his governance
29 who has committed even one act of sexual abuse of a minor as described below (see note) shall
30 not continue in ministry.

1 A priest or deacon who is accused of sexual abuse of a minor is to be accorded the presumption
2 of innocence during the investigation of the allegation and all appropriate steps are to be taken to
3 protect his reputation. He is to be encouraged to retain the assistance of civil and canonical
4 counsel. If the allegation is not proven, every step possible is to be taken to restore his good
5 name, should it have been harmed.

6
7 In fulfilling this article, dioceses/eparchies are to follow the requirements of the universal law of
8 the Church and of the *Essential Norms* approved for the United States.

9
10 **ARTICLE 6.** There are to be clear and well publicized diocesan/eparchial standards of
11 ministerial behavior and appropriate boundaries for clergy and for any other paid personnel and
12 volunteers of the Church in positions of trust who have regular contact with children and young
13 people.

14
15 **ARTICLE 7.** Dioceses/eparchies are to be open and transparent in communicating with the
16 public about sexual abuse of minors by clergy within the confines of respect for the privacy and
17 the reputation of the individuals involved. This is especially so with regard to informing parish
18 and other church communities directly affected by ministerial misconduct involving minors.

19
20 **To Ensure the Accountability of Our Procedures**

21
22 **ARTICLE 8.** By the authority of the United States Conference of Catholic Bishops, the mandate
23 of the Ad Hoc Committee on Sexual Abuse is renewed, and it is now constituted the Committee
24 ~~for~~ on the Protection of Children and Young People. It becomes a standing committee of the
25 Conference. Its membership is to include representation from all the episcopal regions of the
26 country, with new appointments staggered to maintain continuity in the effort to protect children
27 and youth.

28
29 The Committee is to advise the USCCB on all matters related to child and youth protection and
30 is to oversee the development of the plans, programs, and budget of the ~~Office-Secretariat~~ of
31 Child and Youth Protection. It is to provide the USCCB with comprehensive planning and

1 recommendations concerning child and youth protection by coordinating the efforts of the ~~Office~~
2 Secretariat and the National Review Board.

3
4 **ARTICLE 9.** The ~~Office for~~Secretariat of Child and Youth Protection, established by the
5 Conference of Catholic Bishops, is to staff the Committee ~~for on~~ the Protection of Children and
6 Young People and be a resource for dioceses/eparchies for the implementation of “safe
7 environment” programs and for suggested training and development of diocesan personnel
8 responsible for child and youth protection programs, taking into account the financial and other
9 resources, as well as the population, area, and demographics of the diocese/eparchy.

10
11 The ~~Office~~Secretariat is to produce an annual public report on the progress made in
12 implementing and maintaining the standards in this *Charter*. The report is to be based on an
13 annual audit process whose method, scope, and cost are to be approved by the Administrative
14 Committee on the recommendation of the Committee ~~for on~~ the Protection of Children and
15 Young People. This public report is to include the names of those dioceses/eparchies which the
16 audit shows are not in compliance with the provisions and expectations of the *Charter*.

17
18 As a member of the Conference staff, the Executive Director of the ~~Office~~Secretariat is
19 appointed by and reports to the General Secretary. The Executive Director is to provide the
20 Committee ~~for on~~ the Protection of Children and Young People and the National Review Board
21 with regular reports of the ~~Office's~~Secretariat's activities.

22
23 **ARTICLE 10.** The whole Church, especially the laity, at both the diocesan and national levels,
24 needs to be engaged in maintaining safe environments in the Church for children and young
25 people.

26
27 The Committee ~~for on~~ the Protection of Children and Young People is to be assisted by the
28 National Review Board, a consultative body established in 2002 by the USCCB. The Board will
29 review the annual report of the ~~Office~~Secretariat of Child and Youth Protection on the
30 implementation of this *Charter* in each diocese/eparchy and any recommendations that emerge

1 from it, and offer its own assessment regarding its approval and publication to the Conference
2 President.

3
4 The Board will also advise the Conference President on future members. The Board members are
5 appointed by the Conference President in consultation with the Administrative Committee and
6 are accountable to him and to the USCCB Executive Committee. Before a candidate is contacted,
7 the Conference President is to seek and obtain, in writing, the endorsement of the candidate's
8 diocesan bishop. The Board is to operate in accord with the statutes and bylaws of the USCCB
9 and within procedural guidelines ~~to be~~ developed by the Board in consultation with the
10 Committee ~~for on~~ the Protection of Children and Young People and approved by the USCCB
11 Administrative Committee. These guidelines ~~are to~~ set forth such matters as the Board's purpose
12 and responsibility, officers, terms of office, and frequency of reports to the Conference President
13 on its activities.

14
15 The Board will offer its advice as it collaborates with the Committee ~~for on~~ the Protection of
16 Children and Young People on matters of child and youth protection, specifically on policies and
17 best practices. The Board and Committee ~~for on~~ the Protection of Children and Young People
18 will meet jointly several times a year.

19
20 The Board will review the work of the ~~Office Secretariat~~ of Child and Youth Protection and
21 make recommendations to the Director. It will assist the Director in the development of
22 resources for dioceses.

23
24 The Board is to oversee the completion of the study of the causes and context of the recent crisis.
25 The Board will offer its assessment of the data gathered and preliminary results to the Committee
26 ~~for on~~ the Protection of Children and Young People as the study moves forward.

27
28 **ARTICLE 11.** The President of the Conference is to inform the Holy See of this revised *Charter*
29 to indicate the manner in which we, the Catholic bishops, together with the entire Church in the
30 United States, intend to continue our commitment to the protection of children and young people.

1 The President is also to share with the Holy See the annual reports on the implementation of the
2 *Charter*.

3
4 **To Protect the Faithful in**
5 **the Future**
6

7 **ARTICLE 12.** Dioceses/eparchies are to maintain “safe environment” programs which the
8 diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be
9 conducted cooperatively with parents, civil authorities, educators, and community organizations
10 to provide education and training for children, youth, parents, ministers, educators, volunteers,
11 and others about ways to make and maintain a safe environment for children and young people.
12 Dioceses/eparchies are to make clear to clergy and all members of the community the standards
13 of conduct for clergy and other persons in positions of trust with regard to children.

14
15 **ARTICLE 13.** Dioceses/eparchies are to evaluate the background of all incardinated and non-
16 incardinated priests and deacons who are engaged in ecclesiastical ministry in the
17 diocese/eparchy and of all diocesan/eparchial and parish/school or other paid personnel and
18 volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they
19 are to utilize the resources of law enforcement and other community agencies. In addition, they
20 are to employ adequate screening and evaluative techniques in deciding the fitness of candidates
21 for ordination (cf. United States Conference of Catholic Bishops, *Program of Priestly Formation*
22 [Fifth Edition], 2006, no. 39).

23
24 **ARTICLE 14.** Transfers of clergy who have committed an act of sexual abuse against a minor
25 for residence, including retirement, shall be as in accord with Norm 12 of the Essential Norms.
26 (Cf. *Proposed Guidelines on the Transfer or Assignment of Clergy and Religious*, adopted by the
27 USCCB, the Conference of Major Superiors of Men, the Leadership Conference of Women
28 Religious, and the Council of Major Superiors of Women Religious in 1993.)

29
30 **ARTICLE 15.** To ensure continuing collaboration and mutuality of effort in the protection of
31 children and young people on the part of the bishops and religious ordinaries, two representatives

1 of the Conference of Major Superiors of Men are to serve as consultants to the Committee ~~for on~~
2 the Protection of Children and Young People. At the invitation of the Major Superiors, the
3 Committee will designate two of its members to consult with its counterpart at CMSM.
4 Diocesan/eparchial bishops and major superiors of clerical institutes or their delegates are to
5 meet periodically to coordinate their roles concerning the issue of allegations made against a
6 cleric member of a religious institute ministering in a diocese/eparchy.

7
8 **ARTICLE 16.** Given the extent of the problem of the sexual abuse of minors in our society, we
9 are willing to cooperate with other churches and ecclesial communities, other religious bodies,
10 institutions of learning, and other interested organizations in conducting research in this area.

11
12 ~~**ARTICLE 17.** We pledge our complete cooperation with the Apostolic Visitation of our~~
13 ~~diocesan/eparchial seminaries and religious houses of formation recommended in the~~
14 ~~Interdicasterial Meeting with the Cardinals of the United States and the Conference Officers in~~
15 ~~April 2002.~~

16
17 We commit ourselves to work individually in our dioceses/eparchies and together as a
18 Conference, through the appropriate committees, to strengthen our programs both for initial
19 priestly formation and for the ongoing formation of priests. With new urgency, and following the
20 Apostolic Visitation of our seminaries, we will promote programs of human formation for
21 chastity and celibacy for both seminarians and priests based upon the criteria found in *Pastores*
22 *Dabo Vobis*, the *Program of Priestly Formation*, and the *Basic Plan for the Ongoing Formation*
23 *of Priests*. We will continue to assist priests, deacons, and seminarians in living out their
24 vocation in faithful and integral ways.

25
26 ~~We bishops and eparchs commit ourselves to work as one with our brother priests and deacons to~~
27 ~~foster reconciliation among all people in our dioceses/eparchies, especially with those~~
28 ~~individuals who were themselves abused and the communities that have suffered because of the~~
29 ~~sexual abuse of minors that occurred in their midst.~~

Conclusion

As we wrote three-eight years ago, “It is within this context of the essential soundness of the priesthood and of the deep faith of our brothers and sisters in the Church that we know that we can meet and resolve this crisis for now and the future.”

We wish to reaffirm once again that the vast majority of priests and deacons serve their people faithfully and that they have the esteem and affection of their people. They also have our love and esteem and our commitment to their good names and well-being.

An essential means of dealing with the crisis is prayer for healing and reconciliation, and acts of reparation for the grave offense to God and the deep wound inflicted upon his holy people. Closely connected to prayer and acts of reparation is the call to holiness of life and the care of the diocesan/eparchial bishop to ensure that he and his priests avail themselves of the proven ways of avoiding sin and growing in holiness of life.

It is with reliance on prayer and penance that we renew the pledges which we made in the original *Charter*:

We pledge most solemnly to one another and to you, God’s people, that we will work to our utmost for the protection of children and youth.

We pledge that we will devote to this goal the resources and personnel necessary to accomplish it.

We pledge that we will do our best to ordain to the priesthood and put into positions of trust only those who share this commitment to protecting children and youth.

We pledge that we will work toward healing and reconciliation for those sexually abused by clerics.

1 Much has been done to honor these pledges. We devoutly pray that God who has begun this
2 good work in us will bring it to fulfillment.

3
4 This *Charter* is published for the dioceses/eparchies of the United States. It is to be reviewed
5 again in five after two years by the Committee ~~for on~~ the Protection of Children and Young
6 People with the advice of the National Review Board. The results of this review are to be
7 presented to the full Conference of Bishops for confirmation.

8
9 NOTE

10 * For purposes of this *Charter*, the offense of sexual abuse of a minor will be understood in
11 accord with the provisions of ~~In accord with~~ *Sacramentorum sanctitatis tutela* (SST),
12 article 4 §16, which reads:

13
14 §1. The more grave delicts against morals which are reserved to the Congregation
15 for the Doctrine of the Faith are:

16 1° the delict against the sixth commandment of the Decalogue committed
17 by a cleric with a minor below the age of eighteen years; in this case, a
18 person who habitually lacks the use of reason is to be considered
19 equivalent to a minor.

20 2° the acquisition, possession, or distribution by a cleric of pornographic
21 images of minors under the age of fourteen, for purposes of sexual
22 gratification, by whatever means or using whatever technology;

23 §2. A cleric who commits the delicts mentioned above in §1 is to be punished
24 according to the gravity of his crime, not excluding dismissal or
25 deposition.

26
27 ~~sexual abuse, for purposes of this *Charter*, shall include any offense by a cleric against the Sixth~~
28 ~~Commandment of the Decalogue with a minor as understood in the *Code of Canon Law*,~~
29 ~~e. 1395 §2 (“A cleric who in another way has committed an offense against the sixth~~
30 ~~commandment of the Decalogue, if the delict was committed by force or threats or~~
31 ~~publicly or with a minor below the age of sixteen years [raised in SST to eighteen years~~

1 ~~which has been the age of majority for the USA since 1994], is to be punished with just~~
2 ~~penalties, not excluding dismissal from the clerical state if the case so warrants”) and the~~
3 ~~*Code of Canons of the Eastern Churches*, c. 1453 §1 (“A cleric who lives in concubinage~~
4 ~~or gives permanent scandal by publicly sinning against chastity is to be punished with a~~
5 ~~suspension, to which, other penalties can be gradually added up to deposition, if he~~
6 ~~persists in the offense”):~~

7 If there is any doubt whether a specific act qualifies as an external, objectively
8 grave violation, the writings of recognized moral theologians should be consulted, and
9 the opinions of recognized experts should be appropriately obtained (*Canonical Delicts*
10 *Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6).

11 Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a
12 qualified review board, to determine the gravity of the alleged act.

1 Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of
2 Minors by Priests or Deacons
3
4
5

6 *Office of the President*

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10

11 Most Reverend William S. Skylstad, D.D.

12 Bishop of Spokane
13

14 May 5, 2006

15 THE UNITED STATES CONFERENCE OF CATHOLIC BISHOPS
16
17

18 **DECREE OF PROMULGATION**
19

20 On November 13, 2002, the members of the United States Conference of Catholic Bishops
21 approved as particular law the *Essential Norms for Diocesan/Eparchial Policies Dealing with*
22 *Allegations of Sexual Abuse of Minors by Priests or Deacons*. Following the grant of the required
23 *recognitio* by the Congregation for Bishops on December 8, 2002, the *Essential Norms* were
24 promulgated by the President of the same Conference on December 12, 2002.
25

26 Thereafter, on June 17, 2005, the members of the United States Conference of Catholic Bishops
27 approved a revised text of the *Essential Norms*. By a decree dated January 1, 2006, and signed by
28 His Eminence, Giovanni Battista Cardinal Re, Prefect of the Congregation for Bishops, and His
29 Excellency, the Most Reverend Francesco Monterisi, Secretary of the same Congregation, the
30 *recognitio* originally granted to the *Essential Norms* of 2002 was extended to the revised version
31 *donec aliter provideatur*.

1

2 As President of the United States Conference of Catholic Bishops, I therefore decree the
3 promulgation of the *Essential Norms* of June 17, 2005. These *Norms* shall obtain force on May
4 15, 2006, and so shall from that day bind as particular law all Dioceses and Eparchies of the
5 United States Conference of Catholic Bishops.

6

7

8 Most Reverend William S. Skylstad

9 Bishop of Spokane

10 President, USCCB

11

12 Reverend Monsignor David J. Malloy

13 General Secretary

Preamble

On June 14, 2002, the United States Conference of Catholic Bishops approved a Charter for the Protection of Children and Young People. 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 emotional well-being of those who have been sexually abused and of their families.

In addition, the bishops will work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest 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.

Therefore, to ensure that each diocese/eparchy in the United States of America will have procedures in place to respond promptly to all allegations of sexual abuse of minors, the United States Conference of Catholic Bishops decrees these norms for diocesan/eparchial policies dealing with allegations of sexual abuse of minors by diocesan and religious priests or deacons.¹ These norms are complementary to the universal law of the Church and are to be interpreted in accordance with that law. The Church has traditionally considered the sexual abuse of minors a grave delict and punishes the offender with penalties, not excluding dismissal from the clerical state if the case so warrants.

1 For purposes of these Norms, sexual abuse shall include any offense by a cleric against the Sixth
2 Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, and CCEO,
3 canon 1453 §1 (*Sacramentorum sanctitatis tutela*, article 4-6 §1).²
4

5 **Norms**

6 **1.** These Essential Norms have been granted *recognitio* by the Holy See. Having been
7 legitimately promulgated in accordance with the practice of the United States Conference of
8 Catholic Bishops on May 5, 2006, they constitute particular law for all the dioceses/eparchies of
9 the United States of America.³
10

11 **2.** Each diocese/eparchy will have a written policy on the sexual abuse of minors by priests and
12 deacons, as well as by other church personnel. This policy is to comply fully with, and is to
13 specify in more detail, the steps to be taken in implementing the requirements of canon law,
14 particularly CIC, canons 1717-1719, and CCEO, canons 1468-1470. A copy of this policy will
15 be filed with the United States Conference of Catholic Bishops within three months of the
16 effective date of these norms. Copies of any eventual revisions of the written diocesan/eparchial
17 policy are also to be filed with the United States Conference of Catholic Bishops within three
18 months of such modifications.
19

20 **3.** Each diocese/eparchy will designate a competent person to coordinate assistance for the
21 immediate pastoral care of persons who claim to have been sexually abused when they were
22 minors by priests or deacons.
23

24 **4.** To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board
25 which will function as a confidential consultative body to the bishop/eparch in discharging his
26 responsibilities. The functions of this board may include
27

- 28 **a.** advising the diocesan bishop/eparch in his assessment of allegations of sexual
29 abuse of minors and in his determination of suitability for ministry;
- 30 **b.** reviewing diocesan/eparchial policies for dealing with sexual abuse of minors;
31 and

1 c. offering advice on all aspects of these cases, whether retrospectively or
2 prospectively.

3
4 5. The review board, established by the diocesan/eparchial bishop, will be composed of at least
5 five persons of outstanding integrity and good judgment in full communion with the Church. The
6 majority of the review board members will be lay persons who are not in the employ of the
7 diocese/eparchy; but at least one member should be a priest who is an experienced and respected
8 pastor of the diocese/eparchy in question, and at least one member should have particular
9 expertise in the treatment of the sexual abuse of minors. The members will be appointed for a
10 term of five years, which can be renewed. It is desirable that the Promoter of Justice participate
11 in the meetings of the review board.

12
13 6. When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary
14 investigation in accordance with canon law will be initiated and conducted promptly and
15 objectively (CIC, c. 1717; CCEO, c. 1468). During the investigation the accused enjoys the
16 presumption of innocence, and all appropriate steps shall be taken to protect his reputation. The
17 accused will be encouraged to retain the assistance of civil and canonical counsel and will be
18 promptly notified of the results of the investigation. When there is sufficient evidence that sexual
19 abuse of a minor has occurred, the Congregation of the Doctrine of the Faith shall be notified.
20 The bishop/eparch shall then apply the precautionary measures mentioned in CIC, canon 1722,
21 or CCEO, canon 1473—i.e., withdraw the accused from exercising the sacred ministry or any
22 ecclesiastical office or function, impose or prohibit residence in a given place or territory, and
23 prohibit public participation in the Most Holy Eucharist pending the outcome of the process.⁴

24
25 7. The alleged offender may be requested to seek, and may be urged voluntarily to comply with,
26 an appropriate medical and psychological evaluation at a facility mutually acceptable to the
27 diocese/eparchy and to the accused.

28
29 8. When even a single act of sexual abuse by a priest or deacon is admitted or is established after
30 an appropriate process in accord with canon law, the offending priest or deacon will be removed

1 permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the
2 case so warrants (SST, Art. 6; CIC, c. 1395 §2; CCEO, c. 1453 §1).⁴⁵

3
4 a. In every case involving canonical penalties, the processes provided for in canon
5 law must be observed, and the various provisions of canon law must be
6 considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal*
7 *from the Clerical State*, 1995; Letter from the Congregation for the Doctrine of
8 the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith,
9 having been notified, calls the case to itself because of special circumstances, it
10 will direct the diocesan bishop/eparch to proceed (Article 13, “Procedural Norms”
11 for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the
12 case would otherwise be barred by prescription, because sexual abuse of a minor
13 is a grave offense, the bishop/eparch may apply to the Congregation for the
14 Doctrine of the Faith for a derogation from the prescription, while indicating
15 relevant grave reasons. For the sake of canonical due process, the accused is to be
16 encouraged to retain the assistance of civil and canonical counsel. When
17 necessary, the diocese/eparchy will supply canonical counsel to a priest. The
18 provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented
19 during the pendency of the penal process.

20 b. If the penalty of dismissal from the clerical state has not been applied (e.g., for
21 reasons of advanced age or infirmity), the offender ought to lead a life of prayer
22 and penance. He will not be permitted to celebrate Mass publicly or to administer
23 the sacraments. He is to be instructed not to wear clerical garb, or to present
24 himself publicly as a priest.

25
26 9. At all times, the diocesan bishop/eparch has the executive power of governance, within the
27 parameters of the universal law of the Church, through an administrative act, to remove an
28 offending cleric from office, to remove or restrict his faculties, and to limit his exercise of
29 priestly ministry.⁵⁻⁶ Because sexual abuse of a minor by a cleric is a crime in the universal law of
30 the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1) and is a crime in all civil jurisdictions in the
31 United States, for the sake of the common good and observing the provisions of canon law, the

1 diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or
2 deacon who has committed even one act of sexual abuse of a minor as described above shall not
3 continue in active ministry. ²⁸

4
5 **10.** The priest or deacon may at any time request a dispensation from the obligations of the
6 clerical state. In exceptional cases, the bishop/eparch may request of the Holy Father the
7 dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the
8 priest or deacon.

9
10 **11.** The diocese/eparchy will comply with all applicable civil laws with respect to the reporting
11 of allegations of sexual abuse of minors to civil authorities and will cooperate in their
12 investigation. In every instance, the diocese/eparchy will advise and support a person's right to
13 make a report to public authorities. ²⁸

14
15 **12.** No priest or deacon who has committed an act of sexual abuse of a minor may be transferred
16 for a ministerial assignment in another diocese/eparchy. Every bishop/eparch who receives a
17 priest or deacon from outside his jurisdiction will obtain the necessary information regarding any
18 past act of sexual abuse of a minor by the priest or deacon in question.

19
20 Before such a diocesan/eparchial priest or deacon can be transferred for residence to another
21 diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the
22 bishop of the proposed place of residence any and all information concerning any act of sexual
23 abuse of a minor and any other information indicating that he has been or may be a danger to
24 children or young people.

25
26 In the case of the assignment for residence of such a clerical member of an institute or a society
27 into a local community within a diocese/eparchy, the major superior shall inform the
28 diocesan/eparchial bishop and share with him in a manner respecting the limitations of
29 confidentiality found in canon and civil law all information concerning any act of sexual abuse
30 of a minor and any other information indicating that he has been or may be a danger to children
31 or young people so that the bishop/eparch can make an informed judgment that suitable

1 safeguards are in place for the protection of children and young people. This will be done with
2 due recognition of the legitimate authority of the bishop/eparch; of the provisions of CIC, canon
3 678 (CCEO, canons 415 §1 and 554 §2), and of CIC, canon 679; and of the autonomy of the
4 religious life (CIC, c. 586).

5

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

10

11 Notes

12 1 These Norms constitute particular law for the dioceses, eparchies, clerical religious
13 institutes, and societies of apostolic life of the United States with respect to all priests and
14 deacons in the ecclesiastical ministry of the Church in the United States. When a major
15 superior of a clerical religious institute or society of apostolic life applies and interprets
16 them for the internal life and governance of the institute or society, he has the obligation
17 to do so according to the universal law of the Church and the proper law of the institute
18 or society.

19 2 If there is any doubt whether a specific act qualifies as an external, objectively grave
20 violation, the writings of recognized moral theologians should be consulted, and the
21 opinions of recognized experts should be appropriately obtained (*Canonical Delicts*, p.
22 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a
23 qualified review board, to determine the gravity of the alleged act.

24 3 Due regard must be given to the proper legislative authority of each Eastern Catholic
25 Church.

26 4 Article 19 *Sacramentorum sanctitatis tutela* states, "With due regard for the right of the
27 Ordinary to impose from the outset of the preliminary investigation those measures which are
28 established in can. 1722 of the Code of Canon Law, or in can. 1473 of the Code of Canons of the
29 Eastern Churches, the respective presiding judge may, at the request of the Promoter of Justice,
30 exercise the same power under the same conditions determined in the canons themselves."

45

1 For purposes of these Norms, the offense of sexual abuse of a minor will be understood
2 in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which
3 reads:

4 §1. The more grave delicts against morals which are reserved to the Congregation
5 for the Doctrine of the Faith are:

6 1° the delict against the sixth commandment of the Decalogue committed
7 by a cleric with a minor below the age of eighteen years; in this case, a
8 person who habitually lacks the use of reason is to be considered
9 equivalent to a minor.

10 2° the acquisition, possession, or distribution by a cleric of pornographic
11 images of minors under the age of fourteen, for purposes of sexual
12 gratification, by whatever means or using whatever technology;

13 §2. A cleric who commits the delicts mentioned above in §1 is to be punished
14 according to the gravity of his crime, not excluding dismissal or
15 deposition.

16 If there is any doubt whether a specific act qualifies as an external, objectively grave
17 violation, the writings of recognized moral theologians should be consulted, and the
18 opinions of recognized experts should be appropriately obtained (*Canonical Delicts
19 Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6).

20 Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a
21 qualified review board, to determine the gravity of the alleged act. Removal from
22 ministry is required whether or not the cleric is diagnosed by qualified experts as a
23 pedophile or as suffering from a related sexual disorder that requires professional
24 treatment. With regard to the use of the phrase “ecclesiastical ministry,” by clerical
25 members of institutes of consecrated life and societies of apostolic life, the provisions of
26 canons 678 and 738 also apply, with due regard for canons 586 and 732.

56

27 Cf. CIC, cc. 35-58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348, and
28 1740-1747. Cf. also CCEO, cc. 1510 §1 and 2, 1°-2°, 1511, 1512 §§1-2, 1513 §§2-3 and
29 5, 1514-1516, 1517 §1, 1518, 1519 §2, 1520 §§1-3, 1521, 1522 §1, 1523-1526, 940, 946,
30 967-971, 974-977, 374, 178, 192 §§1-3, 193 §2, 191, and 1389-1396.

67

The diocesan bishop/eparch may exercise his executive power of governance to take one or more of the following administrative actions (CIC, cc. 381, 129ff.; CCEO, cc. 178, 979ff.):

- a. He may request that the accused freely resign from any currently held ecclesiastical office (CIC, cc. 187-189; CCEO, cc. 967-971).
- b. Should the accused decline to resign and should the diocesan bishop/eparch judge the accused to be truly not suitable (CIC, c. 149 §1; CCEO, c. 940) at this time for holding an office previously freely conferred (CIC, c. 157), then he may remove that person from office observing the required canonical procedures (CIC, cc. 192-195, 1740-1747; CCEO, cc. 974-977, 1389-1396).
- c. For a cleric who holds no office in the diocese/eparchy, any previously delegated faculties may be administratively removed (CIC, cc. 391 §1 and 142 §1; CCEO, cc. 191 §1 and 992 §1), while any *de iure* faculties may be removed or restricted by the competent authority as provided in law (e.g., CIC, c. 764; CCEO, c. 610 §§2-3).
- d. The diocesan bishop/eparch may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present (CIC, c. 906). The bishop may forbid the priest to celebrate the Eucharist publicly and to administer the sacraments, for the good of the Church and for his own good.
- e. Depending on the gravity of the case, the diocesan bishop/eparch may also dispense (CIC, cc. 85-88; CCEO, cc. 1536 §1-1538) the cleric from the obligation of wearing clerical attire (CIC, c. 284; CCEO, c. 387) and may urge that he not do so, for the good of the Church and for his own good.

These administrative actions shall be taken in writing and by means of decrees (CIC, cc. 47-58; CCEO, cc. 1510 §2, 1^o-2^o, 1511, 1513 §§2-3 and 5, 1514, 1517 §1, 1518, 1519 §2, 1520) so that the cleric affected is afforded the opportunity of recourse against them in accord with canon law (CIC, cc. 1734ff.; CCEO, cc. 999ff.).

78

The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time,

- 1 the Church reaffirms her right to enact legislation binding on all her members concerning
- 2 the ecclesiastical dimensions of the delict of sexual abuse of minors.

A Statement of Episcopal Commitment

We bishops pledge again to respond to the demands of the *Charter* in a way that manifests our accountability to God, to God's people, and to one another. Individually and together, we acknowledge mistakes in the past when some bishops transferred, from one assignment to another, priests who abused minors. We recognize our roles in the suffering this has caused, and we continue to ask forgiveness for it.

Without at all diminishing the importance of broader accountability, this statement focuses on the accountability which flows from our episcopal communion and fraternal solidarity, a moral responsibility we have with and for each other.

While bishops are ordained primarily for their diocese or eparchy, we are called as well to protect the unity and to promote the common discipline of the whole Church (CIC, c. 392; CCEO, c. 201). Participating in the college of bishops, ~~we are each bishop is~~ responsible to act in a manner that reflects both effective and affective collegiality.

Respecting the legitimate rights of bishops who are directly accountable to the Holy See, in a spirit of collegiality and fraternity we renew our commitment to the following:

1. ~~Within each of our provinces,~~ we will assist each other to interpret correctly and implement, ~~within our respective jurisdictions,~~ the *Charter for the Protection of Children and Young People*, always respecting Church law and striving to reflect the Gospel.

2. ~~In cases of an allegation of sexual abuse of minors by a bishops, we~~ We will apply the requirements of the *Charter* also to ourselves, respecting always Church law as it applies to bishops. ~~In such cases, we will inform the Apostolic Nuncio. Therefore, if a bishop is accused of the sexual abuse of a minor, the accused bishop is obliged to inform the Apostolic Nuncio. If another bishop becomes aware of the sexual abuse of a minor by another bishop or of an allegation of the sexual abuse of a minor by a bishop, he too is obliged to inform the Apostolic Nuncio.~~

1
2 3. In cases of financial demands for settlements involving allegations of any sexual misconduct
3 by a bishops, we will inform he, or any of us who become aware of it, is obliged to inform the
4 Apostolic Nuncio.

5
6 4. Within each of our provinces, as an expression of collegiality, including fraternal support,
7 fraternal challenge and fraternal correction, we will engage in ongoing mutual reflection upon
8 our commitment to holiness of life and upon the exercise of our episcopal ministry.

9
10 In making this statement, we firmly uphold the dignity of every human being and renew our
11 commitment to live and promote the chastity required of all followers of Christ and especially of
12 deacons, priests and bishops.

13
14 ~~After five years, t~~This Statement of Episcopal Commitment will be reviewed by the ~~Ad-Hoc~~
15 ~~Committee on Bishops' Life and Ministry~~Committee on Clergy, Consecrated Life and Vocations
16 upon the next review of the Charter.

- 1 Let there be no doubt or confusion on anyone's part: For us, your bishops, our obligation to
- 2 protect children and young people and to prevent sexual abuse flows from the mission and
- 3 example given to us by Jesus Christ himself, in whose name we serve.

1 *Charter for the Protection of Children and Young People*

2

3 The revised *Charter for the Protection of Children and Young People* was developed by the Ad
4 Hoc Committee for Sexual Abuse of the United States Conference of Catholic Bishops
5 (USCCB). It was approved by the full body of U.S. Catholic bishops at its June 2005 General
6 Meeting, and this second revision was approved at the June 2011 General Meeting. The revised
7 *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of*
8 *Minors by Priests or Deacons* was developed by the Ad Hoc Committee on Sexual Abuse of the
9 USCCB and by the Vatican-U.S. Bishops' Mixed Commission on Sex Abuse Norms. They were
10 approved by the full body of bishops at its June 2005 General Meeting, received the subsequent
11 *recognitio* of the Holy See on January 1, 2006, and were promulgated May 5, 2006. The revised
12 *Statement of Episcopal Commitment* was developed by the Ad Hoc Committee on Bishops' Life
13 and Ministry of the USCCB. It was approved by the full body of U.S. Catholic bishops at its
14 November 2005 General Meeting and then again in 2011. This revised edition, containing all
15 three documents, is authorized for publication by the undersigned.

16

17 —Msgr. David J. Malloy, STD
18 General Secretary, USCCB

1
2 **Preamble**

3 Since 2002, the Church in the United States has experienced a crisis without precedent in our
4 times. The sexual abuse of children and young people by some deacons, priests, and bishops, and
5 the ways in which these crimes and sins were addressed, have caused enormous pain, anger, and
6 confusion. As bishops, we have acknowledged our mistakes and our roles in that suffering, and
7 we apologize and take responsibility again for too often failing victims and the Catholic people
8 in the past. From the depths of our hearts, we bishops express great sorrow and profound regret
9 for what the Catholic people have endured.

10
11 Again, with this 2011 revision of the *Charter for the Protection of Children and Young People*,
12 we re-affirm our deep commitment to creating a safe environment within the Church for children
13 and youth. We have listened to the profound pain and suffering of those victimized by sexual
14 abuse and will continue to respond to their cries. We have agonized over the sinfulness, the
15 criminality, and the breach of trust perpetrated by some members of the clergy. We have
16 determined as best we can the extent of the problem of this abuse of minors by clergy in our
17 country, as well as commissioned a study of the causes and context of this problem.

18
19 We continue to have a special care for and a commitment to reaching out to the victims of sexual
20 abuse and their families. The damage caused by sexual abuse of minors is devastating and long-
21 lasting. We apologize to them for the grave harm that has been inflicted on them, and we offer
22 our help for the future. The loss of trust that is often the consequence of such abuse becomes
23 even more tragic when it leads to a loss of the faith that we have a sacred duty to foster. We
24 make our own the words of His Holiness, Pope John Paul II: that the sexual abuse of young
25 people is “by every standard wrong and rightly considered a crime by society; it is also an
26 appalling sin in the eyes of God” (Address to the Cardinals of the United States and Conference
27 Officers, April 23, 2002).

28
29 Along with the victims and their families, the entire Catholic community in this country has
30 suffered because of this scandal and its consequences. In the last nine years, the intense public
31 scrutiny of the minority of the ordained who have betrayed their calling has caused the vast

1 majority of faithful priests and deacons to experience enormous vulnerability to being
2 misunderstood in their ministry and even to the possibility of false accusations. We share with
3 them a firm commitment to renewing the image of the vocation to Holy Orders so that it will
4 continue to be perceived as a life of service to others after the example of Christ our Lord.

5
6 We, who have been given the responsibility of shepherding God’s people, will, with his help and
7 in full collaboration with all the faithful, continue to work to restore the bonds of trust that unite
8 us. Words alone cannot accomplish this goal. It will begin with the actions we take in our
9 General Assembly and at home in our dioceses and eparchies.

10
11 We feel a particular responsibility for the “the ministry of reconciliation” (2 Cor 5:18) which
12 God, who reconciled us to himself through Christ, has given us. The love of Christ impels us to
13 ask forgiveness for our own faults but also to appeal to all—to those who have been victimized,
14 to those who have offended, and to all who have felt the wound of this scandal—to be reconciled
15 to God and one another.

16
17 Perhaps in a way never before experienced, we have felt the power of sin touch our entire
18 Church family in this country; but as St. Paul boldly says, God made Christ “to be sin who did
19 not know sin, so that we might become the righteousness of God in him” (2 Cor 5:21). May we
20 who have known sin experience as well, through a spirit of reconciliation, God’s own
21 righteousness. We know that after such profound hurt, healing and reconciliation are beyond
22 human capacity alone. It is God’s grace and mercy that will lead us forward, trusting Christ’s
23 promise: “for God all things are possible” (Mt 19:26).

24
25 In working toward fulfilling this responsibility, we have relied first of all on Almighty God to
26 sustain us in faith and in the discernment of the right course to take.

27
28 We have received fraternal guidance and support from the Holy See that has sustained us in this
29 time of trial.

30

1 We have relied on the Catholic faithful of the United States. Nationally and in each diocese, the
2 wisdom and expertise of clergy, religious, and laity have contributed immensely to confronting
3 the effects of the crisis and taking steps to resolve it. We are filled with gratitude for their great
4 faith, for their generosity, and for the spiritual and moral support that we have received from
5 them.

6
7 We acknowledge and affirm the faithful service of the vast majority of our priests and deacons
8 and the love that their people have for them. They deservedly have our esteem and that of the
9 Catholic people for their good work. It is regrettable that their committed ministerial witness has
10 been overshadowed by this crisis.

11
12 In a special way, we acknowledge those victims of clergy sexual abuse and their families who
13 have trusted us enough to share their stories and to help us appreciate more fully the
14 consequences of this reprehensible violation of sacred trust.

15
16 Let there now be no doubt or confusion on anyone's part: For us, your bishops, our obligation to
17 protect children and young people and to prevent sexual abuse flows from the mission and
18 example given to us by Jesus Christ himself, in whose name we serve.

19
20 As we work to restore trust, we are reminded how Jesus showed constant care for the vulnerable.
21 He inaugurated his ministry with these words of the Prophet Isaiah:

22
23 The Spirit of the Lord is upon me,
24 because he has anointed me
25 to bring glad tidings to the poor.
26 He has sent me to proclaim liberty to captives
27 and recovery of sight to the blind;
28 to let the oppressed go free,
29 and to proclaim a year acceptable to the Lord. (Lk 4:18-19)

30

1 In Matthew 25, the Lord, in his commission to his apostles and disciples, told them that
2 whenever they show mercy and compassion to the least ones, they show it to him.

3
4 Jesus extended this care in a tender and urgent way to children, rebuking his disciples for
5 keeping them away from him: “Let the children come to me” (Mt 19:14). And he uttered a grave
6 warning that for anyone who would lead the little ones astray, it would be better for such a
7 person “to have a great millstone hung around his neck and to be drowned in the depths of the
8 sea” (Mt 18:6).

9
10 We hear these words of the Lord as prophetic for this moment. With a firm determination to
11 restore the bonds of trust, we bishops recommit ourselves to a continual pastoral outreach to
12 repair the breach with those who have suffered sexual abuse and with all the people of the
13 Church.

14
15 In this spirit, over the last nine years, the principles and procedures of the *Charter* have been
16 integrated into church life.

- 17
- 18 • The Secretariat of Child and Youth Protection provides the focus for a consistent,
19 ongoing, and comprehensive approach to creating a secure environment for young people
20 throughout the Church in the United States.
 - 21
 - 22 • The Secretariat also provides the means for us to be accountable for achieving the goals
23 of the *Charter*, as demonstrated by its annual reports on the implementation of the
24 *Charter* based on independent compliance audits.
 - 25
 - 26 • The National Review Board is carrying on its responsibility to assist in the assessment of
27 diocesan compliance with the *Charter for the Protection of Children and Young People*.
 - 28
 - 29 • The descriptive study of the nature and scope of sexual abuse of minors by Catholic
30 clergy in the United States, commissioned by the National Review Board, has been
31 completed. The resulting study, examining the historical period 1950-2002, by the John

1 Jay College of Criminal Justice provides us with a powerful tool not only to examine our
2 past but also to secure our future against such misconduct.

- 3
- 4 • The U.S. bishops charged the National Review Board to oversee the completion of the
5 Causes and Context Study.
- 6
- 7 • Victims' assistance coordinators are in place throughout our nation to assist dioceses in
8 responding to the pastoral needs of those who have been injured by abuse.
- 9
- 10 • Diocesan/eparchial bishops in every diocese are advised and greatly assisted by diocesan
11 review boards as the bishops make the decisions needed to fulfill the *Charter*.
- 12
- 13 • Safe environment programs are in place to assist parents and children—and those who
14 work with children—in preventing harm to young people. These programs continually
15 seek to incorporate the most useful developments in the field of child protection.
- 16

17 Through these steps and many others, we remain committed to the safety of our children and
18 young people.

19

20 While it seems that the scope of this disturbing problem of sexual abuse of minors by clergy has
21 been reduced over the last decade, the harmful effects of this abuse continue to be experienced
22 both by victims and dioceses.

23

24 Thus it is with a vivid sense of the effort which is still needed to confront the effects of this crisis
25 fully and with the wisdom gained by the experience of the last six years that we have reviewed
26 and revised the *Charter for the Protection of Children and Young People*. We now re-affirm that
27 we will assist in the healing of those who have been injured, will do all in our power to protect
28 children and young people, and will work with our clergy, religious, and laity to restore trust and
29 harmony in our faith communities, as we pray for God's kingdom to come, here on earth, as it is
30 in heaven.

31

1 To make effective our goals of a safe environment within the Church for children and young
2 people and of preventing sexual abuse of minors by clergy in the future, we, the members of the
3 United States Conference of Catholic Bishops, have outlined in this *Charter* a series of practical
4 and pastoral steps, and we commit ourselves to taking them in our dioceses and eparchies.

5
6 **To Promote Healing and Reconciliation with**
7 **Victims/Survivors of Sexual Abuse of Minors**
8

9 **ARTICLE 1.** Dioceses/eparchies are to reach out to victims/survivors and their families and
10 demonstrate a sincere commitment to their spiritual and emotional well-being. The first
11 obligation of the Church with regard to the victims is for healing and reconciliation. Each
12 diocese/eparchy is to continue its outreach to every person who has been the victim of sexual
13 abuse* as a minor by anyone in church service, whether the abuse was recent or occurred many
14 years in the past. This outreach may include provision of counseling, spiritual assistance, support
15 groups, and other social services agreed upon by the victim and the diocese/eparchy.

16
17 Through pastoral outreach to victims and their families, the diocesan/eparchial bishop or his
18 representative is to offer to meet with them, to listen with patience and compassion to their
19 experiences and concerns, and to share the “profound sense of solidarity and concern” expressed
20 by His Holiness, Pope John Paul II, in his Address to the Cardinals of the United States and
21 Conference Officers (April 23, 2002). Pope Benedict XVI, too, in his address to the U.S. bishops
22 in 2008 said of the clergy sexual abuse crisis, “It is your God-given responsibility as pastors to
23 bind up the wounds caused by every breach of trust, to foster healing, to promote reconciliation
24 and to reach out with loving concern to those so seriously wronged.”

25
26 We bishops and eparchs commit ourselves to work as one with our brother priests and deacons to
27 foster reconciliation among all people in our dioceses/eparchies. We especially commit ourselves
28 to work with those individuals who were themselves abused and the communities that have
29 suffered because of the sexual abuse of minors that occurred in their midst.

1 **ARTICLE 2.** Dioceses/eparchies are to have policies and procedures in place to respond
2 promptly to any allegation where there is reason to believe that sexual abuse of a minor has
3 occurred. Dioceses/eparchies are to have a competent person or persons to coordinate assistance
4 for the immediate pastoral care of persons who report having been sexually abused as minors by
5 clergy or other church personnel. The procedures for those making a complaint are to be readily
6 available in printed form in the principal languages in which the liturgy is celebrated in the
7 diocese/eparchy and be the subject of public announcements at least annually.

8
9 Dioceses/eparchies are also to have a review board that functions as a confidential consultative
10 body to the bishop/eparch. The majority of its members are to be lay persons not in the employ
11 of the diocese/eparchy (see Norm 5 in *Essential Norms for Diocesan/Eparchial Policies Dealing*
12 *with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 2006). This board is to advise
13 the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in
14 his determination of a cleric's suitability for ministry. It is regularly to review diocesan/eparchial
15 policies and procedures for dealing with sexual abuse of minors. Also, the board can review
16 these matters both retrospectively and prospectively and give advice on all aspects of responses
17 in connection with these cases.

18
19 **ARTICLE 3.** Dioceses/eparchies are not to enter into settlements which bind the parties to
20 confidentiality unless the victim/survivor requests confidentiality and this request is noted in the
21 text of the agreement.

22
23 **To Guarantee an Effective Response to Allegations of**
24 **Sexual Abuse of Minors**

25
26 **ARTICLE 4.** Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a
27 minor to the public authorities. Dioceses/eparchies are to comply with all applicable civil laws
28 with respect to the reporting of allegations of sexual abuse of minors to civil authorities and
29 cooperate in their investigation in accord with the law of the jurisdiction in question.

1 Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the
2 person is no longer a minor.

3
4 In every instance, dioceses/eparchies are to advise victims of their right to make a report to
5 public authorities and support this right.

6
7 **ARTICLE 5.** We affirm the words of His Holiness, Pope John Paul II, in his Address to the
8 Cardinals of the United States and Conference Officers: “There is no place in the priesthood or
9 religious life for those who would harm the young.”

10
11 Sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395
12 §2; CCEO, c. 1453 §1). Because of the seriousness of this matter, jurisdiction has been reserved
13 to the Congregation for the Doctrine of the Faith (*Motu proprio Sacramentorum sanctitatis*
14 *tutela*, AAS 93, 2001). Sexual abuse of a minor is also a crime in all civil jurisdictions in the
15 United States.

16
17 Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor*—
18 whenever it occurred—which is admitted or established after an appropriate process in accord
19 with canon law, the offending priest or deacon is to be permanently removed from ministry and,
20 if warranted, dismissed from the clerical state. In keeping with the stated purpose of this *Charter*,
21 an offending priest or deacon is to be offered therapeutic professional assistance both for the
22 purpose of prevention and also for his own healing and well-being.

23
24 The diocesan/eparchial bishop is to exercise his power of governance, within the parameters of
25 the universal law of the Church, to ensure that any priest or deacon subject to his governance
26 who has committed even one act of sexual abuse of a minor as described below (see note) shall
27 not continue in ministry.

28
29 A priest or deacon who is accused of sexual abuse of a minor is to be accorded the presumption
30 of innocence during the investigation of the allegation and all appropriate steps are to be taken to
31 protect his reputation. He is to be encouraged to retain the assistance of civil and canonical

1 counsel. If the allegation is not proven, every step possible is to be taken to restore his good
2 name, should it have been harmed.

3
4 In fulfilling this article, dioceses/eparchies are to follow the requirements of the universal law of
5 the Church and of the *Essential Norms* approved for the United States.

6
7 **ARTICLE 6.** There are to be clear and well publicized diocesan/eparchial standards of
8 ministerial behavior and appropriate boundaries for clergy and for any other paid personnel and
9 volunteers of the Church in positions of trust who have regular contact with children and young
10 people.

11
12 **ARTICLE 7.** Dioceses/eparchies are to be open and transparent in communicating with the
13 public about sexual abuse of minors by clergy within the confines of respect for the privacy and
14 the reputation of the individuals involved. This is especially so with regard to informing parish
15 and other church communities directly affected by ministerial misconduct involving minors.

16
17 **To Ensure the Accountability of Our Procedures**

18
19 **ARTICLE 8.** By the authority of the United States Conference of Catholic Bishops, the mandate
20 of the Ad Hoc Committee on Sexual Abuse is renewed, and it is now constituted the Committee
21 on the Protection of Children and Young People. It becomes a standing committee of the
22 Conference. Its membership is to include representation from all the episcopal regions of the
23 country, with new appointments staggered to maintain continuity in the effort to protect children
24 and youth.

25
26 The Committee is to advise the USCCB on all matters related to child and youth protection and
27 is to oversee the development of the plans, programs, and budget of the Secretariat of Child and
28 Youth Protection. It is to provide the USCCB with comprehensive planning and
29 recommendations concerning child and youth protection by coordinating the efforts of the
30 Secretariat and the National Review Board.

1 **ARTICLE 9.** The Secretariat of Child and Youth Protection, established by the Conference of
2 Catholic Bishops, is to staff the Committee on the Protection of Children and Young People and
3 be a resource for dioceses/eparchies for the implementation of “safe environment” programs and
4 for suggested training and development of diocesan personnel responsible for child and youth
5 protection programs, taking into account the financial and other resources, as well as the
6 population, area, and demographics of the diocese/eparchy.

7
8 The Secretariat is to produce an annual public report on the progress made in implementing and
9 maintaining the standards in this *Charter*. The report is to be based on an annual audit process
10 whose method, scope, and cost are to be approved by the Administrative Committee on the
11 recommendation of the Committee on the Protection of Children and Young People. This public
12 report is to include the names of those dioceses/eparchies which the audit shows are not in
13 compliance with the provisions and expectations of the *Charter*.

14
15 As a member of the Conference staff, the Executive Director of the Secretariat is appointed by
16 and reports to the General Secretary. The Executive Director is to provide the Committee on the
17 Protection of Children and Young People and the National Review Board with regular reports of
18 the Secretariat’s activities.

19
20 **ARTICLE 10.** The whole Church, especially the laity, at both the diocesan and national levels,
21 needs to be engaged in maintaining safe environments in the Church for children and young
22 people.

23
24 The Committee on the Protection of Children and Young People is to be assisted by the National
25 Review Board, a consultative body established in 2002 by the USCCB. The Board will review
26 the annual report of the Secretariat of Child and Youth Protection on the implementation of this
27 *Charter* in each diocese/eparchy and any recommendations that emerge from it, and offer its own
28 assessment regarding its approval and publication to the Conference President.

29
30 The Board will also advise the Conference President on future members. The Board members are
31 appointed by the Conference President in consultation with the Administrative Committee and

1 are accountable to him and to the USCCB Executive Committee. Before a candidate is contacted,
2 the Conference President is to seek and obtain, in writing, the endorsement of the candidate's
3 diocesan bishop. The Board is to operate in accord with the statutes and bylaws of the USCCB
4 and within procedural guidelines developed by the Board in consultation with the Committee on
5 the Protection of Children and Young People and approved by the USCCB Administrative
6 Committee. These guidelines set forth such matters as the Board's purpose and responsibility,
7 officers, terms of office, and frequency of reports to the Conference President on its activities.

8

9 The Board will offer its advice as it collaborates with the Committee on the Protection of
10 Children and Young People on matters of child and youth protection, specifically on policies and
11 best practices. The Board and Committee on the Protection of Children and Young People will
12 meet jointly several times a year.

13

14 The Board will review the work of the Secretariat of Child and Youth Protection and make
15 recommendations to the Director. It will assist the Director in the development of resources for
16 dioceses.

17

18 The Board is to oversee the completion of the study of the causes and context of the recent crisis.
19 The Board will offer its assessment of the data gathered and preliminary results to the Committee
20 on the Protection of Children and Young People as the study moves forward.

21

22 **ARTICLE 11.** The President of the Conference is to inform the Holy See of this revised *Charter*
23 to indicate the manner in which we, the Catholic bishops, together with the entire Church in the
24 United States, intend to continue our commitment to the protection of children and young people.
25 The President is also to share with the Holy See the annual reports on the implementation of the
26 *Charter*.

27

28

29

30

**To Protect the Faithful in
the Future**

1 **ARTICLE 12.** Dioceses/eparchies are to maintain “safe environment” programs which the
2 diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be
3 conducted cooperatively with parents, civil authorities, educators, and community organizations
4 to provide education and training for children, youth, parents, ministers, educators, volunteers,
5 and others about ways to make and maintain a safe environment for children and young people.
6 Dioceses/eparchies are to make clear to clergy and all members of the community the standards
7 of conduct for clergy and other persons in positions of trust with regard to children.

8
9 **ARTICLE 13.** Dioceses/eparchies are to evaluate the background of all incardinated and non-
10 incardinated priests and deacons who are engaged in ecclesiastical ministry in the
11 diocese/eparchy and of all diocesan/eparchial and parish/school or other paid personnel and
12 volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they
13 are to utilize the resources of law enforcement and other community agencies. In addition, they
14 are to employ adequate screening and evaluative techniques in deciding the fitness of candidates
15 for ordination (cf. United States Conference of Catholic Bishops, *Program of Priestly Formation*
16 [Fifth Edition], 2006, no. 39).

17
18 **ARTICLE 14.** Transfers of clergy who have committed an act of sexual abuse against a minor
19 for residence, including retirement, shall be as in accord with Norm 12 of the Essential Norms.
20 (Cf. *Proposed Guidelines on the Transfer or Assignment of Clergy and Religious*, adopted by the
21 USCCB, the Conference of Major Superiors of Men, the Leadership Conference of Women
22 Religious, and the Council of Major Superiors of Women Religious in 1993.)

23
24 **ARTICLE 15.** To ensure continuing collaboration and mutuality of effort in the protection of
25 children and young people on the part of the bishops and religious ordinaries, two representatives
26 of the Conference of Major Superiors of Men are to serve as consultants to the Committee on the
27 Protection of Children and Young People. At the invitation of the Major Superiors, the
28 Committee will designate two of its members to consult with its counterpart at CMSM.
29 Diocesan/eparchial bishops and major superiors of clerical institutes or their delegates are to
30 meet periodically to coordinate their roles concerning the issue of allegations made against a
31 cleric member of a religious institute ministering in a diocese/eparchy.

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ARTICLE 16. Given the extent of the problem of the sexual abuse of minors in our society, we are willing to cooperate with other churches and ecclesial communities, other religious bodies, institutions of learning, and other interested organizations in conducting research in this area.

ARTICLE 17. We commit ourselves to work individually in our dioceses/eparchies and together as a Conference, through the appropriate committees, to strengthen our programs both for initial priestly formation and for the ongoing formation of priests. With new urgency, and following the Apostolic Visitation of our seminaries, we will promote programs of human formation for chastity and celibacy for both seminarians and priests based upon the criteria found in *Pastores Dabo Vobis*, the *Program of Priestly Formation*, and the *Basic Plan for the Ongoing Formation of Priests*. We will continue to assist priests, deacons, and seminarians in living out their vocation in faithful and integral ways.

Conclusion

As we wrote eight years ago, “It is within this context of the essential soundness of the priesthood and of the deep faith of our brothers and sisters in the Church that we know that we can meet and resolve this crisis for now and the future.”

We wish to reaffirm once again that the vast majority of priests and deacons serve their people faithfully and that they have the esteem and affection of their people. They also have our love and esteem and our commitment to their good names and well-being.

An essential means of dealing with the crisis is prayer for healing and reconciliation, and acts of reparation for the grave offense to God and the deep wound inflicted upon his holy people. Closely connected to prayer and acts of reparation is the call to holiness of life and the care of the diocesan/eparchial bishop to ensure that he and his priests avail themselves of the proven ways of avoiding sin and growing in holiness of life.

1 It is with reliance on prayer and penance that we renew the pledges which we made in the
2 original *Charter*:

3
4 **We pledge most solemnly to one another and to you, God’s people, that we will work to our
5 utmost for the protection of children and youth.**

6
7 **We pledge that we will devote to this goal the resources and personnel necessary to
8 accomplish it.**

9
10 **We pledge that we will do our best to ordain to the priesthood and put into positions of
11 trust only those who share this commitment to protecting children and youth.**

12
13 **We pledge that we will work toward healing and reconciliation for those sexually abused
14 by clerics.**

15
16 Much has been done to honor these pledges. We devoutly pray that God who has begun this
17 good work in us will bring it to fulfillment.

18
19 This *Charter* is published for the dioceses/eparchies of the United States. It is to be reviewed
20 after two years by the Committee on the Protection of Children and Young People with the
21 advice of the National Review Board. The results of this review are to be presented to the full
22 Conference of Bishops for confirmation.

23
24 NOTE

25 * For purposes of this *Charter*, the offense of sexual abuse of a minor will be understood in
26 accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which
27 reads:

28
29 §1. The more grave delicts against morals which are reserved to the Congregation
30 for the Doctrine of the Faith are:

1 1° the delict against the sixth commandment of the Decalogue committed
2 by a cleric with a minor below the age of eighteen years; in this case, a
3 person who habitually lacks the use of reason is to be considered
4 equivalent to a minor.

5 2° the acquisition, possession, or distribution by a cleric of pornographic
6 images of minors under the age of fourteen, for purposes of sexual
7 gratification, by whatever means or using whatever technology;

8 §2. A cleric who commits the delicts mentioned above in §1 is to be punished
9 according to the gravity of his crime, not excluding dismissal or
10 deposition.

11
12
13 If there is any doubt whether a specific act qualifies as an external, objectively
14 grave violation, the writings of recognized moral theologians should be consulted, and
15 the opinions of recognized experts should be appropriately obtained (*Canonical Delicts
16 Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6).
17 Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a
18 qualified review board, to determine the gravity of the alleged act.

1 Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of
2 Minors by Priests or Deacons
3
4
5

6 *Office of the President*

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10
11 Most Reverend William S. Skylstad, D.D.

12 Bishop of Spokane
13

14 May 5, 2006

15 THE UNITED STATES CONFERENCE OF CATHOLIC BISHOPS
16
17

18 **DECREE OF PROMULGATION**
19

20 On November 13, 2002, the members of the United States Conference of Catholic Bishops
21 approved as particular law the *Essential Norms for Diocesan/Eparchial Policies Dealing with*
22 *Allegations of Sexual Abuse of Minors by Priests or Deacons*. Following the grant of the required
23 *recognitio* by the Congregation for Bishops on December 8, 2002, the *Essential Norms* were
24 promulgated by the President of the same Conference on December 12, 2002.
25

26 Thereafter, on June 17, 2005, the members of the United States Conference of Catholic Bishops
27 approved a revised text of the *Essential Norms*. By a decree dated January 1, 2006, and signed by
28 His Eminence, Giovanni Battista Cardinal Re, Prefect of the Congregation for Bishops, and His
29 Excellency, the Most Reverend Francesco Monterisi, Secretary of the same Congregation, the
30 *recognitio* originally granted to the *Essential Norms* of 2002 was extended to the revised version
31 *donec aliter provideatur*.

1
2 As President of the United States Conference of Catholic Bishops, I therefore decree the
3 promulgation of the *Essential Norms* of June 17, 2005. These *Norms* shall obtain force on May
4 15, 2006, and so shall from that day bind as particular law all Dioceses and Eparchies of the
5 United States Conference of Catholic Bishops.

6

7

8 Most Reverend William S. Skylstad
9 Bishop of Spokane
10 President, USCCB

11

12 Reverend Monsignor David J. Malloy
13 General Secretary

1 **Preamble**

2
3 On June 14, 2002, the United States Conference of Catholic Bishops approved a Charter for the
4 Protection of Children and Young People. The charter addresses the Church’s commitment to
5 deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and
6 other church personnel (i.e., employees and volunteers). The bishops of the United States have
7 promised to reach out to those who have been sexually abused as minors by anyone serving the
8 Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or
9 occurred many years ago. They stated that they would be as open as possible with the people in
10 parishes and communities about instances of sexual abuse of minors, with respect always for the
11 privacy and the reputation of the individuals involved. They have committed themselves to the
12 pastoral and spiritual care and emotional well-being of those who have been sexually abused and
13 of their families.

14
15 In addition, the bishops will work with parents, civil authorities, educators, and various
16 organizations in the community to make and maintain the safest environment for minors. In the
17 same way, the bishops have pledged to evaluate the background of seminary applicants as well
18 as all church personnel who have responsibility for the care and supervision of children and
19 young people.

20
21 Therefore, to ensure that each diocese/eparchy in the United States of America will have
22 procedures in place to respond promptly to all allegations of sexual abuse of minors, the United
23 States Conference of Catholic Bishops decrees these norms for diocesan/eparchial policies
24 dealing with allegations of sexual abuse of minors by diocesan and religious priests or deacons.¹
25 These norms are complementary to the universal law of the Church and are to be interpreted in
26 accordance with that law. The Church has traditionally considered the sexual abuse of minors a
27 grave delict and punishes the offender with penalties, not excluding dismissal from the clerical
28 state if the case so warrants.

1 For purposes of these Norms, sexual abuse shall include any offense by a cleric against the Sixth
2 Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, and CCEO,
3 canon 1453 §1 (*Sacramentorum sanctitatis tutela*, article 6 §1).²
4

5 Norms

6 1. These Essential Norms have been granted *recognitio* by the Holy See. Having been
7 legitimately promulgated in accordance with the practice of the United States Conference of
8 Catholic Bishops on May 5, 2006, they constitute particular law for all the dioceses/eparchies of
9 the United States of America.³
10

11 2. Each diocese/eparchy will have a written policy on the sexual abuse of minors by priests and
12 deacons, as well as by other church personnel. This policy is to comply fully with, and is to
13 specify in more detail, the steps to be taken in implementing the requirements of canon law,
14 particularly CIC, canons 1717-1719, and CCEO, canons 1468-1470. A copy of this policy will
15 be filed with the United States Conference of Catholic Bishops within three months of the
16 effective date of these norms. Copies of any eventual revisions of the written diocesan/eparchial
17 policy are also to be filed with the United States Conference of Catholic Bishops within three
18 months of such modifications.
19

20 3. Each diocese/eparchy will designate a competent person to coordinate assistance for the
21 immediate pastoral care of persons who claim to have been sexually abused when they were
22 minors by priests or deacons.
23

24 4. To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board
25 which will function as a confidential consultative body to the bishop/eparch in discharging his
26 responsibilities. The functions of this board may include
27

- 28 a. advising the diocesan bishop/eparch in his assessment of allegations of sexual
29 abuse of minors and in his determination of suitability for ministry;
- 30 b. reviewing diocesan/eparchial policies for dealing with sexual abuse of minors;
31 and

1 c. offering advice on all aspects of these cases, whether retrospectively or
2 prospectively.

3
4 5. The review board, established by the diocesan/eparchial bishop, will be composed of at least
5 five persons of outstanding integrity and good judgment in full communion with the Church. The
6 majority of the review board members will be lay persons who are not in the employ of the
7 diocese/eparchy; but at least one member should be a priest who is an experienced and respected
8 pastor of the diocese/eparchy in question, and at least one member should have particular
9 expertise in the treatment of the sexual abuse of minors. The members will be appointed for a
10 term of five years, which can be renewed. It is desirable that the Promoter of Justice participate
11 in the meetings of the review board.

12
13 6. When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary
14 investigation in accordance with canon law will be initiated and conducted promptly and
15 objectively (CIC, c. 1717; CCEO, c. 1468). During the investigation the accused enjoys the
16 presumption of innocence, and all appropriate steps shall be taken to protect his reputation. The
17 accused will be encouraged to retain the assistance of civil and canonical counsel and will be
18 promptly notified of the results of the investigation. When there is sufficient evidence that sexual
19 abuse of a minor has occurred, the Congregation of the Doctrine of the Faith shall be notified.
20 The bishop/eparch shall then apply the precautionary measures mentioned in CIC, canon 1722,
21 or CCEO, canon 1473—i.e., withdraw the accused from exercising the sacred ministry or any
22 ecclesiastical office or function, impose or prohibit residence in a given place or territory, and
23 prohibit public participation in the Most Holy Eucharist pending the outcome of the process.⁴

24
25 7. The alleged offender may be requested to seek, and may be urged voluntarily to comply with,
26 an appropriate medical and psychological evaluation at a facility mutually acceptable to the
27 diocese/eparchy and to the accused.

28
29 8. When even a single act of sexual abuse by a priest or deacon is admitted or is established after
30 an appropriate process in accord with canon law, the offending priest or deacon will be removed

1 permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the
2 case so warrants (SST, Art. 6; CIC, c. 1395 §2; CCEO, c. 1453 §1).⁵

3
4 a. In every case involving canonical penalties, the processes provided for in canon
5 law must be observed, and the various provisions of canon law must be
6 considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal*
7 *from the Clerical State*, 1995; Letter from the Congregation for the Doctrine of
8 the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith,
9 having been notified, calls the case to itself because of special circumstances, it
10 will direct the diocesan bishop/eparch to proceed (Article 13, “Procedural Norms”
11 for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the
12 case would otherwise be barred by prescription, because sexual abuse of a minor
13 is a grave offense, the bishop/eparch may apply to the Congregation for the
14 Doctrine of the Faith for a derogation from the prescription, while indicating
15 relevant grave reasons. For the sake of canonical due process, the accused is to be
16 encouraged to retain the assistance of civil and canonical counsel. When
17 necessary, the diocese/eparchy will supply canonical counsel to a priest. The
18 provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented
19 during the pendency of the penal process.

20 b. If the penalty of dismissal from the clerical state has not been applied (e.g., for
21 reasons of advanced age or infirmity), the offender ought to lead a life of prayer
22 and penance. He will not be permitted to celebrate Mass publicly or to administer
23 the sacraments. He is to be instructed not to wear clerical garb, or to present
24 himself publicly as a priest.

25
26 9. At all times, the diocesan bishop/eparch has the executive power of governance, within the
27 parameters of the universal law of the Church, through an administrative act, to remove an
28 offending cleric from office, to remove or restrict his faculties, and to limit his exercise of
29 priestly ministry.⁶ Because sexual abuse of a minor by a cleric is a crime in the universal law of
30 the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1) and is a crime in all civil jurisdictions in the
31 United States, for the sake of the common good and observing the provisions of canon law, the

1 diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or
2 deacon who has committed even one act of sexual abuse of a minor as described above shall not
3 continue in active ministry.⁷

4
5 **10.** The priest or deacon may at any time request a dispensation from the obligations of the
6 clerical state. In exceptional cases, the bishop/eparch may request of the Holy Father the
7 dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the
8 priest or deacon.

9
10 **11.** The diocese/eparchy will comply with all applicable civil laws with respect to the reporting
11 of allegations of sexual abuse of minors to civil authorities and will cooperate in their
12 investigation. In every instance, the diocese/eparchy will advise and support a person's right to
13 make a report to public authorities.⁸

14
15 **12.** No priest or deacon who has committed an act of sexual abuse of a minor may be transferred
16 for a ministerial assignment in another diocese/eparchy. Every bishop/eparch who receives a
17 priest or deacon from outside his jurisdiction will obtain the necessary information regarding any
18 past act of sexual abuse of a minor by the priest or deacon in question.

19
20 Before such a diocesan/eparchial priest or deacon can be transferred for residence to another
21 diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the
22 bishop of the proposed place of residence any and all information concerning any act of sexual
23 abuse of a minor and any other information indicating that he has been or may be a danger to
24 children or young people.

25
26 In the case of the assignment for residence of such a clerical member of an institute or a society
27 into a local community within a diocese/eparchy, the major superior shall inform the
28 diocesan/eparchial bishop and share with him in a manner respecting the limitations of
29 confidentiality found in canon and civil law all information concerning any act of sexual abuse
30 of a minor and any other information indicating that he has been or may be a danger to children
31 or young people so that the bishop/eparch can make an informed judgment that suitable

1 safeguards are in place for the protection of children and young people. This will be done with
2 due recognition of the legitimate authority of the bishop/eparch; of the provisions of CIC, canon
3 678 (CCEO, canons 415 §1 and 554 §2), and of CIC, canon 679; and of the autonomy of the
4 religious life (CIC, c. 586).

5
6 **13.** Care will always be taken to protect the rights of all parties involved, particularly those of the
7 person claiming to have been sexually abused and of the person against whom the charge has
8 been made. When an accusation has been shown to be unfounded, every step possible will be
9 taken to restore the good name of the person falsely accused.

10
11 Notes

12 1 These Norms constitute particular law for the dioceses, eparchies, clerical religious
13 institutes, and societies of apostolic life of the United States with respect to all priests and
14 deacons in the ecclesiastical ministry of the Church in the United States. When a major
15 superior of a clerical religious institute or society of apostolic life applies and interprets
16 them for the internal life and governance of the institute or society, he has the obligation
17 to do so according to the universal law of the Church and the proper law of the institute
18 or society.

19 2 If there is any doubt whether a specific act qualifies as an external, objectively grave
20 violation, the writings of recognized moral theologians should be consulted, and the
21 opinions of recognized experts should be appropriately obtained (*Canonical Delicts*, p.
22 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a
23 qualified review board, to determine the gravity of the alleged act.

24 3 Due regard must be given to the proper legislative authority of each Eastern Catholic
25 Church.

26 4 Article 19 *Sacramentorum sanctitatis tutela states*, “With due regard for the right of the
27 Ordinary to impose from the outset of the preliminary investigation those measures which are
28 established in can. 1722 of the Code of Canon Law, or in can. 1473 of the Code of Canons of the
29 Eastern Churches , the respective presiding judge may, at the request of the Promoter of Justice,
30 exercise the same power under the same conditions determined in the canons themselves.”

1 5 For purposes of these Norms, the offense of sexual abuse of a minor will be understood
2 in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which
3 reads:

4 §1. The more grave delicts against morals which are reserved to the Congregation
5 for the Doctrine of the Faith are:

6 1^o the delict against the sixth commandment of the Decalogue committed
7 by a cleric with a minor below the age of eighteen years; in this case, a
8 person who habitually lacks the use of reason is to be considered
9 equivalent to a minor.

10 2^o the acquisition, possession, or distribution by a cleric of pornographic
11 images of minors under the age of fourteen, for purposes of sexual
12 gratification, by whatever means or using whatever technology;

13 §2. A cleric who commits the delicts mentioned above in §1 is to be punished
14 according to the gravity of his crime, not excluding dismissal or
15 deposition.

16 If there is any doubt whether a specific act qualifies as an external, objectively grave
17 violation, the writings of recognized moral theologians should be consulted, and the
18 opinions of recognized experts should be appropriately obtained (*Canonical Delicts
19 Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6).

20 Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a
21 qualified review board, to determine the gravity of the alleged act. Removal from
22 ministry is required whether or not the cleric is diagnosed by qualified experts as a
23 pedophile or as suffering from a related sexual disorder that requires professional
24 treatment. With regard to the use of the phrase “ecclesiastical ministry,” by clerical
25 members of institutes of consecrated life and societies of apostolic life, the provisions of
26 canons 678 and 738 also apply, with due regard for canons 586 and 732.

27 6 Cf. CIC, cc. 35-58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348, and
28 1740-1747. Cf. also CCEO, cc. 1510 §1 and 2, 1^o-2^o, 1511, 1512 §§1-2, 1513 §§2-3 and
29 5, 1514-1516, 1517 §1, 1518, 1519 §2, 1520 §§1-3, 1521, 1522 §1, 1523-1526, 940, 946,
30 967-971, 974-977, 374, 178, 192 §§1-3, 193 §2, 191, and 1389-1396.

1 7 The diocesan bishop/eparch may exercise his executive power of governance to take one
2 or more of the following administrative actions (CIC, cc. 381, 129ff.; CCEO, cc. 178,
3 979ff.):

- 4 a. He may request that the accused freely resign from any currently held
5 ecclesiastical office (CIC, cc. 187-189; CCEO, cc. 967-971).
- 6 b. Should the accused decline to resign and should the diocesan bishop/eparch judge
7 the accused to be truly not suitable (CIC, c. 149 §1; CCEO, c. 940) at this time for
8 holding an office previously freely conferred (CIC, c. 157), then he may remove
9 that person from office observing the required canonical procedures (CIC, cc.
10 192-195, 1740-1747; CCEO, cc. 974-977, 1389-1396).
- 11 c. For a cleric who holds no office in the diocese/eparchy, any previously delegated
12 faculties may be administratively removed (CIC, cc. 391 §1 and 142 §1; CCEO,
13 cc. 191 §1 and 992 §1), while any *de iure* faculties may be removed or restricted
14 by the competent authority as provided in law (e.g., CIC, c. 764; CCEO, c. 610
15 §§2-3).
- 16 d. The diocesan bishop/eparch may also determine that circumstances surrounding a
17 particular case constitute the just and reasonable cause for a priest to celebrate the
18 Eucharist with no member of the faithful present (CIC, c. 906). The bishop may
19 forbid the priest to celebrate the Eucharist publicly and to administer the
20 sacraments, for the good of the Church and for his own good.
- 21 e. Depending on the gravity of the case, the diocesan bishop/eparch may also
22 dispense (CIC, cc. 85-88; CCEO, cc. 1536 §1-1538) the cleric from the obligation
23 of wearing clerical attire (CIC, c. 284; CCEO, c. 387) and may urge that he not do
24 so, for the good of the Church and for his own good.

25
26 These administrative actions shall be taken in writing and by means of decrees (CIC, cc.
27 47-58; CCEO, cc. 1510 §2, 1^o-2^o, 1511, 1513 §§2-3 and 5, 1514, 1517 §1, 1518, 1519
28 §2, 1520) so that the cleric affected is afforded the opportunity of recourse against them
29 in accord with canon law (CIC, cc. 1734ff.; CCEO, cc. 999ff.).

30 8 The necessary observance of the canonical norms internal to the Church is not intended in
31 any way to hinder the course of any civil action that may be operative. At the same time,

1 the Church reaffirms her right to enact legislation binding on all her members concerning
2 the ecclesiastical dimensions of the delict of sexual abuse of minors.

A Statement of Episcopal Commitment

We bishops pledge again to respond to the demands of the *Charter* in a way that manifests our accountability to God, to God's people, and to one another. Individually and together, we acknowledge mistakes in the past when some bishops transferred, from one assignment to another, priests who abused minors. We recognize our roles in the suffering this has caused, and we continue to ask forgiveness for it.

Without at all diminishing the importance of broader accountability, this statement focuses on the accountability which flows from our episcopal communion and fraternal solidarity, a moral responsibility we have with and for each other.

While bishops are ordained primarily for their diocese or eparchy, we are called as well to protect the unity and to promote the common discipline of the whole Church (CIC, c. 392; CCEO, c. 201). Participating in the college of bishops, each bishop is responsible to act in a manner that reflects both effective and affective collegiality.

Respecting the legitimate rights of bishops who are directly accountable to the Holy See, in a spirit of collegiality and fraternity we renew our commitment to the following:

1. Within each province, we will assist each other to interpret correctly and implement the *Charter for the Protection of Children and Young People*, always respecting Church law and striving to reflect the Gospel.

2. We will apply the requirements of the *Charter* also to ourselves, respecting always Church law as it applies to bishops. Therefore, if a bishop is accused of the sexual abuse of a minor, the accused bishop is obliged to inform the Apostolic Nuncio. If another bishop becomes aware of the sexual abuse of a minor by another bishop or of an allegation of the sexual abuse of a minor by a bishop, he too is obliged to inform the Apostolic Nuncio.

3. In cases of financial demands for settlements involving allegations of any sexual misconduct by a bishop, he, or any of us who become aware of it, is obliged to inform the Apostolic Nuncio.

1
2 4. Within each of our provinces, as an expression of collegiality, including fraternal support,
3 fraternal challenge and fraternal correction, we will engage in ongoing mutual reflection upon
4 our commitment to holiness of life and upon the exercise of our episcopal ministry.

5
6 In making this statement, we firmly uphold the dignity of every human being and renew our
7 commitment to live and promote the chastity required of all followers of Christ and especially of
8 deacons, priests and bishops.

9
10 This Statement of Episcopal Commitment will be reviewed by the Committee on Clergy,
11 Consecrated Life and Vocations upon the next review of the *Charter*.

- 1 Let there be no doubt or confusion on anyone's part: For us, your bishops, our obligation to
- 2 protect children and young people and to prevent sexual abuse flows from the mission and
- 3 example given to us by Jesus Christ himself, in whose name we serve.



Committee on Canonical Affairs and Church Governance

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January 27, 2011

Most Reverend Blase J. Cupich
Chairman
Committee on the Protection of Children and Young People
United States Conference of Catholic Bishops
3211 Fourth Street, N.E.
Washington, DC 20017-1194

Dear Bishop Cupich,

By a letter of July 19, 2010, you requested that the Committee on Canonical Affairs and Church Governance review the modifications to the Holy See's *Normae de gravioribus delictis* that were released by the Congregation for the Doctrine of the Faith on July 15, 2010. Specifically, you sought the observations of our Committee on whether the modifications might require changes to the texts of the USCCB's *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*.

I am pleased to inform you that the Committee on Canonical Affairs and Church Governance considered this matter at its November 2010 meeting, held prior to the start of the USCCB Plenary Assembly. The members of the Committee considered each of the modifications to the *motu proprio* and its possible impact on the *Essential Norms*. In this regard, they benefitted from an analysis of the question prepared by Msgr. Ronny E. Jenkins, in which he offered his own conclusions on the matter (enclosed). The Committee concurred with the observations of Msgr. Jenkins that no changes to the body of the *Essential Norms* are necessary. However, as Msgr. Jenkins notes, some modifications might be desired for the sake of clarity or other editorial precision. These could be made through the use of footnotes rather than through modification to the body of the *Essential Norms*. In the mind of the Committee members, the inclusion of footnote references to the modifications and the other changes of a merely editorial nature would not require a subsequent request for review by the Holy See.

With regard to the text of the *Charter*, the Committee again concluded that the body of the text does not require emendation in light of the modifications to the universal law. However, this text, too, might benefit from editorial changes that seek to specify modifications enacted to the law currently in force. For instance, the *Note* found at the end of the main body of the *Charter* cites article numbers from the 2001 version of *Sacramentorum sanctitatis tutela*. These could be changed to match the new numbering found in the modified version issued by the Holy See in 2010.

I hope the Committee on Canonical Affairs and Church Governance has provided sufficient observations to assist you in the important work of the revision of the *Charter*. Over the coming weeks, I intend to convene a conference call with the Committee to discuss your December 20, 2010 follow up request, related to the observations that have been brought to your attention by Msgr. Harry Byrne. If necessary, I will bring any additional observations from the Committee resulting from that discussion to the Administrative Committee meeting in March 2011.

With assurances of my prayerful best wishes for a blessed New Year, I am

Fraternally yours in Christ,

A handwritten signature in black ink that reads "Thomas John Paprocki". The signature is written in a cursive style with a small cross at the beginning.

Most Reverend Thomas John Paprocki, J.D., J.C.D.
Bishop of Springfield in Illinois
Chairman

Encl.

