



Policy

for

**On the
Sexual Abuse of
Minors**

**Members
and**

Candidates

SOCIETY OF ST. SULPICE
PROVINCE OF THE U.S.A.



**Policy
for Members
and Candidates on
the Sexual Abuse of Minors**

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Policy for Members and Candidates on the Sexual Abuse of Minors

1. Introduction and Rationale

1.1. The nature and purpose of the Society of St. Sulpice is described in the opening pages of its *Constitutions*. Article 1 contains the following passages:

Dedicated to Jesus Christ, the High Priest, the Society of the Priests of Saint Sulpice, born in the apostolate of Jean Jacques Olier, its founder, is a community of diocesan priests whose vocation is the service of those ordained to the presbyteral ministry.

With this fundamental purpose in view, they devote themselves to the discernment of vocations, to the initial and ongoing formation of priests or to the exercise of other ministries. They fulfill this work with the desire to instruct others in the “interior life” and to form in them the “apostolic spirit.”

“The seminary of Saint Sulpice. . .has consecrated and dedicated itself to Jesus Christ our Lord not only to honor Him as High Priest and the great Apostle of his Father, but also to respect him living in the Apostolic College. Daily, the seminary prays for an apostolic spirit for itself and for the whole Church so as to renew in her the love of Jesus Christ and his attitude of religion toward his Father, particularly among the clergy who, as the source of holiness, must then diffuse it among all peoples.” (Divers écrits, I, 67)

1.2. It is clear from these words that the Society has been given as its mission the renewal of the Church in the love of Jesus Christ through the renewal of the Church’s ministers. This means that Sulpicians are to be models of Christian living and priestly ministry.

1.3. While Sulpician programs are designed to serve adults, they do, on rare occasion, offer training and/or pastoral services to minors. Therefore, a Sulpician might have pastoral contact with or special responsibility for minors at a Sulpician program. It is the intention of the U.S. Province of the Society of St. Sulpice that all of its institutions, programs, and missions be safe places in which minors can work, study, or receive ministry.

1.4. The Sexual Abuse of a Minor by a Sulpician is not only a violation of the fundamental dignity of the victim but also a contradiction of faith in Jesus Christ and of the mission of the Society of St. Sulpice. Therefore, beyond any provisions of civil law, the sexual abuse of minor by a Sulpician is totally inappropriate, unacceptable, and outside the scope of his duties and employment.

1.5. Moreover, since it is fundamental to the charism of the Society of St. Sulpice that Sulpicians adhere to the highest standard of

Christian and ministerial behavior, any minor who has been abused by a Sulpician is of special concern to the Society and deserving of our special care and respect.

1.6. Because of the seriousness with which we view the sexual abuse of minors, the U.S. Province of the Society of St. Sulpice has developed the following policy to deal with incidents and accusations of such abuse on the part of its members and candidates. The policy also treats those related acts of misconduct that can be signs of inadequate professional boundaries with a minor.

1.7. The primary purpose of this policy on sexual abuse of minors is to prevent such abuse and, if injury has already occurred, to care for the victim and the victim's family. The needs of others injured by the sexual abuse of minors, namely, those who have placed their trust in the Society of St. Sulpice as well as the many who have their service and reputation questioned because of the failures of a few, are also addressed in this policy.



2. Definitions

2.1. **Sulpicians:** priests who are definitive or temporary members of the Society of St. Sulpice, Province of the United States, or who are candidates for membership in the Society who have been released by their diocesan bishops and are serving in a Sulpician assignment.

2.2. **The Provincial Superior:** The Sulpician who exercises canonical authority over all Sulpicians who are members of the Province of the United States.

2.3. **A Minor:** anyone under the age of 18. For the purposes of this policy “a minor” also includes an adult who is especially vulnerable to abuse because of mental or physical disability.

2.4. **Sexual Contact:** some form of physical contact for the purpose of sexually arousing or gratifying either party, e.g., sexual intercourse or the touching of the erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest).

2.5. **Sexual Abuse of a Minor:** immoral and illegal activity in which a minor is manipulated, forced or tricked into sexual contact. Sexual Abuse of a Minor is deemed to have occurred even when the minor initiates the Sexual Contact.

2.6. **Related Acts of Misconduct with a Minor:** behaviors that, in themselves, do not constitute Sexual Abuse of a Minor but are often associated with it in an occupational, educational or ministerial setting. Such behaviors include disciplining with spanking,

slapping or hitting, sharing of sexually-oriented materials or jokes, being nude in the presence of minors, kissing on the mouth, giving or receiving a massage, wrestling, sleeping in the same bed or a similarly confined space, taking minors for overnights without written parental permission, persisting in the exchange of unwelcome and unwanted acts or words of affection, providing or allowing minors to use alcohol or illegal drugs and being under the influence of alcohol or illegal drugs when supervising minors.



3. Statement of General Principles

3.1. All Sulpicians have an obligation not only to avoid the Sexual Abuse of a Minor and Related Acts of Misconduct with a minor but also to attempt to prevent such activities and to protect potential victims.

3.2. All Sulpicians will comply fully with all applicable provisions of federal, state, and local law, with the requirements of canon law and with the policies and procedures outlined in this document.

3.3. The Society of St. Sulpice is committed to dealing with all reported accusations of the Sexual Abuse of a Minor in a comprehensive, objective and pastoral manner with due regard to the rights of all. To ensure that this commitment is fulfilled, the Society has established a Review Board to advise and assist the Provincial Superior.

3.4. All complaints and incidents are considered important. In light of the harm of both Sexual Abuse of a Minor and false accusations, each report will be carefully reviewed. Anonymous complaints will be investigated to the extent feasible.

3.5. All persons involved should receive timely communication. Any communication or action taken should be done in a caring manner, so as not to compound the traumatic experience of the persons concerned.

3.6. The pastoral needs and the rights of the accused will also be respected and protected.

3.7. The Society will avoid exacerbating the hurt of all persons involved by respecting their confidentiality in the public forum

whenever possible. It is the intention of the Society to preserve the due process of civil and canon law in any statements made at the public level.

3.8. There is always the possibility of false accusations made for whatever reason. All should know that both civil and canon law may provide penalties for making false accusations of the Sexual Abuse of a Minor.

3.9. Though not, in themselves, forms of Sexual Abuse of a Minor, Related Acts of Misconduct with a Minor are also forbidden.

3.10. Certain signs of affection or approval in relation to a minor that are not normally inappropriate are not prohibited by this policy, e.g., pats on the shoulder or back, hand-shakes and hand-slapping, verbal praise, placing an arm around the shoulders, and, with small children, holding hands during a walk, kneeling or bending down for a hug, and patting on the head. (N.B. Cultural sensitivity is called for here; some of these signs may not be appropriate in certain cultures, e.g., patting a child on the head in some Asian cultures.)

3.11. No requirement of this policy is to be construed in such a way that it would violate the priest/penitent relationship of the Sacrament of Penance.

3.12. In the policy, some decisions assigned to the Provincial Superior are to be understood as in light of the Sulpician *Constitutions*, i.e., these decisions may require the approval of the Provincial Council.

3.13. To facilitate the implementation of this policy, it will include an appendix that contains names and contact information for the various representatives of the Society mentioned in this document.

4. Specific Policies and Procedures for Responding to Allegations of Sexual Abuse of a Minor

4.1. Initial Reporting of A Complaint

4.1.1. Whenever a Sulpician has reasonable cause to believe that another Sulpician has committed the Sexual Abuse of a Minor, that former must make an immediate report to the appropriate authority of the Society.

4.1.2. When a complaint of the Sexual Abuse of a Minor by a Sulpician originates in a local setting, the complaint is usually addressed to the local superior, the rector or the director of the program who, in turn, relays this information promptly to the Provincial Superior in order to initiate a Societal response. In the absence of either aforementioned officer of the Province, the Provincial Personnel Officer or one of the four Provincial Consultors should be contacted.

4.1.3. The complaint may be communicated directly to the Provincial Superior.

4.1.4. The person first receiving the complaint listens sensitively to the complainant to obtain the essential elements of the complaint without probing into unnecessary details.

4.1.5. The essential elements are put into a confidential written summary. The critical information at this stage would be:

- a. Name of the alleged victim;

- b. Current age of alleged victim;
- c. Address and phone number of alleged victim;
- d. Name of alleged perpetrator;
- e. Approximate dates of the alleged Sexual Abuse of a Minor;
- f. Nature, type and location of the alleged Sexual Abuse of a Minor;
- g. Other essential details, e.g., what, if any, requests has the victim made.

4.2. Initial Response of the Province to an Allegation

4.2.1. Allegations of the Sexual Abuse of a Minor may come from a variety of sources, including alleged victims or their family members, diocesan offices, members of the Society, a colleague in the workplace or an alleged perpetrator. Allegations can even be made by anonymous sources. Because each case is distinct, the following is a general outline of the response system for such allegations. It is not a procedure that is to be followed in the same way for each unique case, and the actions to be taken are not necessarily listed below in chronological order. The process is to be modified by the Provincial Superior according to the nature of the allegation, the needs of the alleged victim and the circumstances of the accused.

4.2.2. The Provincial Superior shall receive allegations of Sexual Abuse of a Minor and coordinate the response of the Province, including the offer of assistance, when needed, to anyone who brings an allegation. The Provincial Superior or anyone who speaks directly to the alleged victim will maintain a compassionate

and pastoral manner regardless of the demeanor or age of alleged victim, recognizing that the experience of sexual abuse and the difficulty of coming forward may bring out strong emotions during the disclosure process.

4.2.3. Initially, upon receiving the complaint, the Provincial Superior will designate an Investigator to conduct a confidential internal inquiry as early as is practicable after the initial complaint to determine whether the allegations are credible.

a. The Investigator will advise any parties that he/she represents the Province and will also inform them that conversations with the Investigator, though confidential, may be subpoenaed in the event of a criminal investigation.

b. The Investigator will advise the parties that pastoral care is available but that the Investigator is not the one who will provide that care.

c. The Investigator, who shall obtain statements from the parties and any witnesses, will keep the Provincial Superior informed regarding the status of the investigation.

d. A licensed mental health professional will assist with the interview of the alleged victim.

e. The Investigator will document the investigation in writing. This documentation is confidential, is the property of the Province and will be kept permanently by the Provincial Superior.

f. The Investigator will inform the alleged victim of his or her right and duty to report the allegation to civil authorities.

g. When the investigation is complete, a confidential written summary of the findings will be presented to the Provincial Superior.

4.2.4. If pastoral care for the alleged victim is needed or requested, the Provincial Superior will appoint a trained pastoral minister to meet with the victim and/or the victim's family, offer to get the needed assistance and follow up to see if the assistance was received. Assistance may be offered regardless of the truth of the allegation.

4.2.5. The Provincial will convoke the Review Board in a timely fashion to advise him on the case. With the Provincial's approval, the Board may avail itself of the services of such outside experts as may be necessary to respond to the matter. -

4.2.6. The Provincial Superior (or his delegate) will maintain contact with the accused throughout the entire process.

a. The Provincial Superior will notify the accused of the allegation and its essential details. He will take steps to ensure that the accused receives the personal and spiritual support and assistance he needs during the process, including, if necessary, the designation of a priest to serve a confidential Pastoral Minister for the Accused.

b. Normally, the accused will be placed on a temporary paid administrative leave during the internal investigation.

c. The Provincial Superior will advise the accused to hire personal legal counsel and also to obtain canonical counsel.

d. When the Provincial Superior has received the completed investigation report, he will orally summarize the results of the investigation in a timely manner to the accused for a response.

4.2.7. The Provincial Superior (or his delegate) will ensure that legal reporting requirements of the state where the abuse took place are complied with in a timely manner as mandated by law. Even if reporting is not legally required in a certain jurisdiction, a prompt report will be made to civil authorities if the alleged victim is still a minor. The Province will cooperate fully with investigations by civil authorities and will consult with civil authorities when its own internal investigation may interfere with a criminal investigation.

4.2.8. If at any time during the course of implementing these procedures, civil or criminal proceedings are initiated against the accused, these procedures may be suspended immediately, to be resumed, if deemed necessary, only after the completion of the civil or criminal proceedings. In such a case, the Provincial Superior shall ask the Review Board for a possible course of action with respect to the accused, in keeping with the intention of these procedures and in the interests of justice.

4.2.9. The Provincial Superior will also ensure compliance with diocesan reporting requirements in the diocese where the alleged Sexual Abuse of a Minor has occurred or with other institutional reporting requirements, where appropriate. When an allegation has been substantiated, the Provincial Superior will also inform the placement(s) where the Sexual Abuse of a Minor has happened or is suspected to have happened. He will document such communication(s).

4.3. The Review Board

4.3.1. The Province has established a Review Board for the purpose of providing advice to the Provincial Superior on the implementation and administration of this policy. The Board exists solely to provide such advice and has no independent authority.

4.3.2. The Review Board consists of 5 members appointed by the Provincial Superior for terms of three years. The majority of the Board will be non-ordained Catholics in full communion with the Church, including parents, who are not Sulpician personnel. At least one member of the Board will be an outside professional with expertise in Sexual Abuse of Minors and another will be an attorney. The membership of the Review Board will include a Sulpician.

4.3.3. Meetings of the Review Board may be called by the Provincial Superior or by the Chairperson of the Review Board with the approval of the Provincial Superior.

4.3.4. The Review Board will elect one of its members to serve as Chairperson of the Board. The Chairperson shall chair meetings of the Review Board, ensure that the work of the Review Board is properly documented and communicated to the Provincial Superior, and appoint other ad hoc officers and assistants from among the other Review Board members as may be required to accomplish the work of the Review Board.

4.3.5. Any Review Board member who has a conflict of interest or the appearance of a conflict of interest with the alleged victim or the accused shall inform the Chairman of the conflict and recuse himself or herself from all deliberations concerning the particular matter in question. The Provincial Superior may appoint a substitute member to serve in that particular case.

4.3.6. At each meeting of the Review Board, the attorney who is a member of the Board will serve as recording secretary to record the decisions and other relevant actions of the Review Board during that meeting. The files of the Review Board are the property of the Province.

4.3.7. The Review Board's discussions, records and advice to the

Provincial Superior regarding particular cases shall be confidential; provided, however, that the Provincial Superior may, at his discretion, disclose the advice he received from the Review Board. The advice or positions taken by particular Review Board members shall not be disclosed and need not be recorded in the Review Board files.

4.3.8. After the initial complaint has been investigated and when the Provincial Superior has called a meeting of the Review Board, the Investigator will report his findings to the Review Board and share copies of the written report(s) with them. The Investigator will not be present for the deliberations of the Review Board.

4.3.9. In its final report to the Provincial, the Review Board will include a summary of the accusations and of all other pertinent data, and a recommendation for appropriate administrative actions, if any, to be taken in the matter.

4.3.10. In cases where alleged Sexual Abuse of Minor cannot be investigated or substantiated, the Review Board will make recommendations regarding the disposition of the case.

4.4. Decision by the Provincial Superior

4.4.1. Upon the conclusion of the investigation and after hearing the recommendations of the Review Board, the Provincial Superior will exercise his judgment in delivering an appropriate response. This response will be documented.

4.4.2. In those cases where it is required that the matter be referred to the Congregation of the Doctrine of the Faith (See, for example, the USCCB's "Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests and Deacons," No. 6), the Provincial Superior will notify the Diocesan Bishop of the accused, and the Provincial Superior and the Dioc-

esan Bishop will jointly refer the matter. Church law prescribes that if it is substantiated that a cleric has abused a minor, no further public ministry may be exercised by that cleric.

4.4.3. When the matter is not required to be referred to the Congregation of the Doctrine of the Faith and when the Provincial Superior determines that there is a substantiated or credible allegation that a Member of the Society has committed the Sexual Abuse of a Minor, the Provincial Superior will take the appropriate disciplinary action, up to and including dismissal from the Society in accordance with the Sulpician *Constitutions*. He will inform the Diocesan Bishop of the accused about the action(s) taken.

4.4.4. The Provincial Superior's decision will be communicated, as necessary and appropriate, to the person who made the complaint, to the accused, to the Diocesan Bishop of the accused, to the Review Board and to other parties, including the Superior General.

4.4.5. In those cases where the Provincial Superior has taken disciplinary action, the accused has the right to appeal the decision to the Superior General.

4.4.6. If an allegation is deemed false, the Provincial Superior will:

- a. issue a decree containing this finding that will be kept in the Province's secret archives;
- b. coordinate communication with all appropriate parties so that reconciliation can take place where possible;
- c. see that the accused is promptly returned to his duties;
- d. assist, as necessary, in restoring the person's good name and assist him with financial needs, if necessary.

4.5. Communication with the Media and the Public

4.5.1. Unless determined otherwise by the Provincial Superior, any media contact or inquiries will be addressed only by the Provincial (or his delegate), who will respond after consultation with the Society's Attorney.

4.5.2. Any communication with the Sulpician membership at large or with any person or community that may be affected by an act of or an accusation of sexual abuse, e.g., a parish, will be made by the Provincial (or his delegate) after consultation with the Province's Attorney and, at the Provincial's discretion, after consultation with the Provincial Council and/or the Review Board.

4.5.3. In order to respect the rights of all concerned, Sulpicians should not discuss, make public comments, or offer an opinion on the accusation without specific permission of the Provincial Superior.

5. Prevention of Sexual Abuse

5.1. Each adult is and must be responsible for his or her own sexual growth and maturity. To support this responsibility, the Society of St. Sulpice is committed to providing appropriate programs for Sulpicians that include information and training applicable to the recognition and prevention of the Sexual Abuse of Minors.

5.2. With the exception of those retired members who, for physical or medical reasons, do not engage in active ministry, all Sulpicians will be required to attend a training program on the prevention of Sexual Abuse of a Minor that includes a discussion of appropriate boundaries with minors and the warning signs associated with sexual abuse.

5.2.1. At least every three years, all Sulpicians must take a three-hour educational program that focuses on Sexual Abuse of Minors. This program gives more detailed information on the prevalence, identification and prevention of Sexual Abuse of Minors. It also explores in more depth the warning signs associated with the Sexual Abuse of Minors and provides an opportunity for such personnel to discuss the possibility of false accusation. The Province will offer such a program, but this requirement may also be fulfilled by attendance at the special program for pastors, youth ministers, etc., offered by the diocese in which the individual serves.

5.2.2. Each year, these personnel will receive updated information on the Sexual Abuse of Minors. Again, diocesan programs include annual updates.

5.3. A few Sulpicians are in positions of special trust with minors. These include priests assigned full-time to parish ministry, those administering and conducting educational programs or offering pastoral services to minors, and others who may supervise minors in the course of their work or ministry. On the local level, it is the responsibility of the Local Superior to identify those Sulpicians who are in positions of special trust with minors. For those Sulpicians who are not members of a local Sulpician community, it is the responsibility of the Provincial to do so.

5.3.1. Sulpicians in positions of special trust with minors will be supported and supervised in their work with minors. It is the responsibility of the Local Superior, as the delegate of the Provincial Superior, to provide for supervision on the local level and to conduct an annual discussion with the Sulpicians involved in order to review their responsibilities in regard to ministry to minors. This meeting is to be documented, and a record of it is to be sent to the Provincial Superior.

5.3.2. It is the responsibility of the Provincial Superior or his delegate to obtain the necessary documentation from those Sulpicians who are in positions of special trust with minors and who are not members of a local Sulpician community. The Provincial Superior or his delegate will conduct the annual discussion with these Sulpicians and document this discussion in writing.

5.4. Even where there is no reason to believe that Sexual Abuse of a Minor has occurred, if any Sulpician detects among his fellow Sulpicians Related Acts of Misconduct with a Minor (see 2.6., above), this is to be communicated either to the Local Superior or to the Provincial Superior. Such Misconduct is a sign of unhealthy boundaries or relationships with minors but is not, in itself, an act of Sexual Abuse of a Minor, and so the Provincial Superior responds to it differently.

5.4.1. If the Local Superior receives a complaint about a member of his own community, he will conduct an interview with the Sulpician about whom the concern has been expressed. During this interview, the Local Superior will review the concern and the relevant policies prohibiting such Misconduct. He will then report about the interview in writing to the Provincial Superior.

5.4.2. If the Provincial Superior receives a complaint about a Sulpician who is a member of a local Sulpician community, he will inform the Local Superior who will conduct the interview as above. The results of the interview will be documented.

5.4.3. If the Provincial Superior receives a complaint about a Local Superior or about a Sulpician who is not a member of the local Sulpician community, he will delegate the Personnel Officer of the Province to meet with the individual and conduct the interview as in 5.4.1., above. The Personnel Officer will then report to the Provincial Superior in writing about the interview.

5.4.4. In any case, should a person disclose voluntarily an inappropriate attraction to minors, the interviewer will recommend or provide assistance, as appropriate, including evaluation and treatment.

5.4.5. If the misconduct with a minor is serious or has been repeated after a previous warning, the Provincial Superior may consult the Review Board about it and may take any disciplinary action he deems appropriate.

5.4.6. The decision by the Provincial Superior regarding Related Acts of Misconduct with a Minor may be appealed to the Provincial Grievance Committee and to the Superior General.

6. Policy on the Use of the Internet

All Sulpicians are expected to conduct their use of the internet and other computer technology and services, whether on equipment or facilities belonging to the Society of St. Sulpice, to the individual, or to others, in a manner that is ethically and legally proper. Improper use of the internet, e-mail, or other computer service for illegal activity will not be tolerated. The Society reserves the right to examine computer files and usage information in those rare instances where it is deemed necessary to do so, by the Provincial or his delegate, to protect the safety, health or welfare of the community or to investigate allegations of misconduct.

7. Applicability

7.1. This policy applies to all Sulpicians as defined in this document (See 2.1., above).

7.2. A copy of this policy is to be communicated by means of educational and training programs to all Sulpicians.

Approved: June 24, 1999

Amended: October 26, 2000

Further amended: April 11, 2002

Further amended: March 18, 2005

Appendix:
Contact Information

Provincial Superior:

V. Rev. Ronald D. Witherup, S.S.
5408 Roland Avenue
Baltimore, MD 21210
410-323-5070

Provincial Personnel Officer (cf. 4.1.2.):

Rev. Gerald D. McBrearity, S.S.
5408 Roland Avenue
Baltimore, MD 21210
410-323-5079

Provincial Consultors (cf. 4.1.2.):

Rev. Thomas R. Ulshafer, S.S.
410-323-5072

Rev. Thomas R. Hurst, S.S.
202-756-4902

Rev. Philip S. Keane, S.S.
410-864-4285

Rev. John Kemper, S.S.
210-341-1366, ext. 245

Pastoral Minister for the Alleged Victim (cf. 4.2.4.):

Rev. Melvin C. Blanchette, S.S.
202-756-4916

Pastoral Minister for the Accused (cf. 4.2.6.a.):

Rev. James E. Myers, S.S.
650-325-9122

Review Board Members (cf. 4.3.2.):

Mrs. Margaret Obrecht, Chair

Mrs. Anne Burke

James Constable, Esq.

Dr. Alan Greenwald

Rev. Michael L. Barré, S.S.



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