

# **SAFE ENVIRONMENT POLICY** For the Protection of Minors and Vulnerable Adults

### Introduction

In 2022, the Church in the United States marked the twenty-year anniversary of the *Charter for the Protection of Children and Young People* ("Charter") and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* ("Essential Norms"), which were initially approved by the U.S. Catholic bishops in November 2002 and most recently updated in 2018. Additionally, the Holy See issued the *Motu Proprio Vos Estis Lux Mundi* ("*Vos Estis*") in 2019, which sets forth universal norms for the protection of minors and vulnerable adults throughout the universal Church and includes specific provisions that govern bishops—both in their own conduct and in their handling of allegations against clergy.

With the publication of this updated *Safe Environment Policy for the Protection of Minors and Vulnerable Adults* ("Policy"), the Roman Catholic Archdiocese of Washington renews its unwavering commitment to provide a safe environment for everyone served by our ministries, especially minors and vulnerable adults entrusted to our care.<sup>1</sup> The Archdiocese published the first version of this Policy in 1986, and it has been reviewed and updated regularly to reflect changes in civil law and Canon Law, as well as to incorporate best practices.

This Policy conforms to the requirements of the Charter and Essential Norms and universal Canon Law, including *Vos Estis*, and it continues to reflect best practices for maintaining a safe environment.<sup>2</sup> It is organized into five sections that correspond with the five pillars of the Archdiocese's longstanding safe environment program:

1. Providing a safe environment for those served by Archdiocesan parishes, schools, and ministries, especially minors and vulnerable adults, through a comprehensive program that includes mandatory background checks, training for adults, and age-appropriate education for those entrusted to our care;

<sup>&</sup>lt;sup>1</sup> The Definitions section in the back of this Policy defines key terms that have a specific meaning in the context of this Policy, including "minor," "vulnerable adult," and "abuse."

 $<sup>^{2}</sup>$  The Archdiocese also reaffirms its commitment to the <u>*Pastoral Code of Conduct*</u>, which was promulgated in 2016. The Code of Conduct applies to all clergy, employees, and volunteers.

- 2. Ensuring that survivors of abuse, no matter when the alleged abuse may have occurred, are afforded appropriate pastoral care and assistance to promote healing;
- 3. Mandating the reporting of all allegations of suspected abuse to the civil authorities, consistent with local laws, and to the Archdiocese;
- 4. Utilizing a clear, timely, and just process to address all allegations of sexual abuse of a minor or a vulnerable adult by any Archdiocesan priest, deacon, seminarian, employee, or volunteer in a manner that respects the rights of all involved parties under the dictates of both the civil law and Canon Law; and
- 5. Maintaining accountability and transparency with our faith communities and the public through our collaboration with an advisory board comprised primarily of lay experts, our recordkeeping and compliance program, our publication of annual reports with data and information regarding the Archdiocese's safe environment program, and our communications efforts.

With the promulgation of this updated Policy, all clergy, volunteers, employees and entities under the auspices of the Archdiocese are expected to review and comply with its provisions. I am grateful to everyone who dedicates their time and talent in service of the Church here in the Archdiocese of Washington, especially those whose ministries serve our young people and vulnerable adults.

+ Tim Care. Braying

₩Wilton Cardinal Gregory, Archbishop of Washington

December 10, 2024

### I. Our Commitment to Provide a Safe Environment for Minors and Vulnerable Adults Served by Archdiocesan Parishes, Schools, and Ministries.

The Archdiocese is committed to maintaining a safe environment in all of our ministries. We work with parents, educators, civil authorities, and the community to ensure the protection of all minors and vulnerable adults entrusted to our care. A key element of our safe environment program is mandatory comprehensive background checks for everyone—clergy, seminarians, employees, and volunteers—before they are allowed to serve in positions that involve contact with minors or vulnerable adults.

Another important component of our program is our commitment to providing comprehensive safe environment training and education. The Archdiocese seeks to raise awareness and understanding about abuse prevention through training and education that covers best practices for maintaining a safe environment, reducing risks to the safety of young people, identifying signs of possible abuse, and reporting suspected abuse. Similar age-appropriate education is incorporated into the curriculum for minors enrolled in Catholic schools and in parish religious education programs.

### A. Background Check and Training Requirements.

This Policy applies to all Archdiocesan, parish, and school ministries, functions, and events, whether held on or off church property. The background and training requirements set forth in this Section apply to all Archdiocesan seminarians and clergy (including extern priests and seminarians who have an Archdiocesan residence or who are assigned to an Archdiocesan parish, school or ministry). These requirements also apply to all employees, volunteers, non-cleric religious, and third-party vendors whose duties involve contact with minors or vulnerable adults in Archdiocesan schools and ministries.

### 1. Safe Environment Training.

The Archdiocese utilizes a safe environment training program that implements the requirements of the Charter and Essential Norms and incorporates best practices. The Archdiocese provides this safe environment training free of charge to all seminarians, clergy, employees, and volunteers who have contact with minors or vulnerable adults as follows:

- a. All seminarians, clergy, and volunteers who have contact with minors or vulnerable adults, must complete an Archdiocesan approved training course prior to beginning their ministry or volunteer assignment with minors or vulnerable adults. All employees who have contact with minors or vulnerable adults must complete the training within 30 days of the start of their employment (and employees may be restricted from having unsupervised contact with minors or vulnerable adults until they have complete this training).
- b. All clergy and school staff also receive periodic, ongoing training and updates on at least an annual basis.
- c. Additional training and educational resources are made available to all clergy to assist in providing pastoral ministry to survivors of abuse.

d. Additional training is made available to others and may be required by the Archdiocese, in its discretion, on a case-by-case basis.

The Archdiocese also provides annual training and educational programs that are ageappropriate and developmentally appropriate as part of the curriculum for minors and vulnerable adults who are enrolled in Archdiocesan schools, religious education, and other similar programs.

All training and educational courses are regularly reviewed by Archdiocesan staff who are responsible for implementation, and these programs are updated to incorporate industry standards and best practices.

### 2. Criminal Background Checks.

The Archdiocese requires a comprehensive criminal background check that encompasses federal and state databases. The Archdiocese may utilize fingerprinting, electronic searches, or any other measures consistent with best practices to conduct its background searches. An individual who is found to have a disqualifying offense under the local civil law, or any other offense that would render him or her unsuitable under this Policy, will not be permitted to work or volunteer in any capacity that involves contact with minors or vulnerable adults.

### **B.** Applicability of Background Check and Training Requirements.

### 1. Archdiocesan Seminarians and Clergy and Extern Clergy.

All Archdiocesan seminarians and clergy shall obtain a criminal background check and complete safe environment training approved by the Archdiocese. All non-Archdiocesan (extern) clergy or seminarians who reside on Archdiocesan property or who are assigned to an Archdiocesan parish, school, or ministry must also satisfy these requirements prior to beginning ministry within the Archdiocese. Additional information about these requirements is available from the Office of the Vicar for Clergy. It is the responsibility of the Vicar for Clergy, in consultation with other Archdiocesan offices and the pastor<sup>3</sup> of each parish, to ensure that all seminarians and clergy comply with these requirements.

### 2. Non-Archdiocesan Clergy.

All non-Archdiocesan clergy (including religious order clergy) who do not have an Archdiocesan assignment or reside on Archdiocesan property and who seek to perform any public ministry within the Archdiocese must have prior permission and receive faculties from the Office of the Vicar for Clergy. If a clergy member plans to stay (or actually stays) in the Archdiocese for a period of thirty (30) or more days and requests faculties, the clergy member's home diocese or religious community must submit a letter of suitability affirming that he has

<sup>&</sup>lt;sup>3</sup> The term "pastor" encompasses a Priest Administrator who has been appointed to administer an Archdiocesan parish.

undergone a criminal background check, completed appropriate safe environment training, and has nothing in his history that would render him unsuitable for ministry.<sup>4</sup>

### 3. Non-Cleric Religious and Seminarians.

Any non-Archdiocesan seminarian or non-cleric religious who is employed by or volunteering with the Archdiocese in any parish or ministry that involves contact with minors or vulnerable adults, shall comply with the background check and training requirements for employees and volunteers set forth in Section I(B)(4) of this Policy. It is the responsibility of the respective parish pastor or department head to ensure that all seminarians and non-cleric religious employees and volunteers at his/her location comply with these requirements.<sup>5</sup>

### 4. Employees and Volunteers.

All adult employees and volunteers whose duties involve contact with minors or vulnerable adults (including those who are responsible for supervising minors or vulnerable adults or who may have unsupervised access to minors or vulnerable adults) shall obtain a criminal background check and complete safe environment training approved by the Archdiocese prior to beginning ministry. This requirement applies to all adult school and child-care personnel, non-cleric religious education personnel, youth ministers, and any other employee or volunteer who serves in any parish, school, or other Archdiocesan ministry or activity that involves contact with minors or vulnerable adults (e.g., athletics, youth choir and band, scouting, youth groups, service projects and other activities that involve contact with minors or vulnerable adults).<sup>6</sup>

In addition to these Archdiocesan requirements, school and child-care personnel must also comply with any additional background check requirements under state or local law (such as the employment history and fingerprinting requirements under Maryland law). Information about requirements for school and child-care personnel is available from the Catholic Schools Office.

For all parish employees and volunteers, it is the responsibility of the pastor, in consultation with the parish's Safe Environment Coordinator and with the support of the Office of Safe Environment, to ensure compliance with these requirements. For all non-parish employees or volunteers, it is the responsibility of the office that oversees the employee or volunteer, in consultation with the Office of Safe Environment, to ensure compliance with these requirements.

<sup>&</sup>lt;sup>4</sup> It is expected that all non-Archdiocesan clergy, including those planning to visit for fewer than thirty (30) days, will request faculties before performing any public ministry in the Archdiocese and will comply with any additional requirements of the Vicar for Clergy.

<sup>&</sup>lt;sup>5</sup> It is expected that religious orders will notify the Delegate for Consecrated Life of all the members of their community who have residency within the territory of the Archdiocese, including those who do not have an Archdiocesan assignment or who do not participate in Archdiocesan ministry.

<sup>&</sup>lt;sup>6</sup> Accommodations or adjustments to the training requirements will be considered upon request (and where possible) for those who may have a disability or other special needs and for those who serve in ministries involving vulnerable adults.

# 5. Additional Suitability Requirements for Employment and Volunteer Candidates.

If a candidate for employment or volunteering has a disqualifying offense on his/her record, or if the application process reveals other information that would render the candidate unsuitable to work with minors or vulnerable adults, the Office of Human Resources and/or Office of Safe Environment will notify the pastor or department head. If a disqualifying offense or other concern regarding suitability is discovered after an individual has begun working or volunteering, the Archdiocese will follow the process laid out in Section IV(D) and Section IV(E) of this Policy, as applicable.

The Archdiocese reserves the right to undertake an investigation of an employee's or volunteer's suitability to work with minors or vulnerable adults at any time. The Office of Human Resources, in consultation with other offices as appropriate, shall be responsible for determining an employee's suitability in accordance with the Archdiocese's employment policies, standards of conduct, and the applicable law. The Chancellor, in consultation with other offices as appropriate, shall be responsible for making a final determination of a volunteer's suitability. The Archdiocese reserves the right to determine, at its sole discretion, the suitability of any employee or volunteer.

The Office of Human Resources and the Office of Safe Environment tracks all employees and volunteers who have a disqualifying offense or who have otherwise been determined to be unsuitable to work with minors or vulnerable adults. These individuals will be ineligible for employment or volunteering in any position that includes contact with minors or vulnerable adults.

### 6. Third-Party Vendors.

Any third-party vendor engaged by any Archdiocesan parish, school, or ministry whose duties involve contact with minors or vulnerable adults (including any local educational agency that provides services to minors in Archdiocesan schools) shall be responsible for obtaining criminal background checks for all of its personnel who may engage in these duties. In certain circumstances, the Archdiocese may also require that the responsible personnel from a third-party vendor undergo the Archdiocesan criminal background check process and complete safe environment training approved by the Archdiocese before beginning any duties that involve contact with minors or vulnerable adults (e.g., such as where a vendor is providing personnel to serve as teachers, tutors, coaches, therapists/counselors, or similar roles that are ordinarily performed by Archdiocesan employees).

Where a vendor performs its own background checks, the vendor will be responsible for monitoring compliance, furnishing acceptable proof of compliance to the Archdiocese, and removing any staff or employees who are not in compliance. The vendor will also be responsible for complying with all other applicable contracting requirements, including maintaining sexual misconduct insurance coverage (in an amount deemed acceptable to the Archdiocese) and all other required insurance under the *Archdiocese of Washington's Contract Review Policy*.

All other vendors (such as maintenance and repair vendors, delivery services, and vendors engaged for athletics, dances, picnics and festivals, and other supervised youth activities) who

may have incidental contact with minors or vulnerable adults must always be supervised by a compliant parish or school employee or volunteer.

For parish vendors, it is the responsibility of the pastor, in consultation with the local Safe Environment Coordinator and the Office of Safe Environment, to ensure that vendors comply with these requirements. For all Archdiocesan vendors, it is the responsibility of the office that oversees the vendor, in consultation with the Office of Safe Environment, to ensure compliance with these requirements.

### C. Local Safe Environment Coordinators.

Each parish must have a local Safe Environment Coordinator who is designated by the pastor to assist him in ensuring compliance with this Policy. Whenever possible, the Safe Environment Coordinator should be a full-time employee of the parish (which may include parish school employees). The pastor is responsible to notify the Office of Safe Environment of any changes to the designated Safe Environment Coordinator.

The Safe Environment Coordinator's responsibility will include assisting the pastor with his responsibilities, including: (1) implementing the requirements of this Policy; (2) ensuring that all required parish employees and volunteers obtain fingerprinting, background checks, and training consistent with this Policy; (3) maintaining compliance records for the parish; and (4) working with the Office of Safe Environment to ensure it has the information necessary to monitor compliance with this Policy, including providing any information required for its annual compliance audit.

### **II.** Our Commitment to Provide Pastoral Care and Assistance to Survivors.

The relationship between the Church and her members is sacred. The Archdiocese recognizes that this sacred trust is broken, and profound harm is done, when anyone who is entrusted with the care of our faithful, whether a clergy or lay person, perpetrates an act of abuse, especially toward a minor or vulnerable adult. The Archdiocese is committed to the pastoral and spiritual care and healing of survivors and their families, no matter when the reported sexual abuse occurred. The Archdiocese maintains a dedicated Office of Safe Environment and a Victim Assistance Coordinator to ensure that appropriate, compassionate, and timely pastoral care is provided to survivors and others impacted by abuse.

When an allegation is received, the person making the report will be referred to the Victim Assistance Coordinator to ensure that the survivor receives appropriate, compassionate, and timely pastoral assistance. The Victim Assistance Coordinator shall be primarily responsible to interact with the survivor, to inform the survivor of his/her rights under this Policy, and to arrange for pastoral care if the survivor is amenable.

The Archdiocese is guided by the following overarching principles in its outreach to survivors:

- 1. The Victim Assistance Coordinator and other Archdiocesan personnel (such as a pastor, principal, school counselor, or the like) who are involved in arranging for the pastoral care of a survivor and his/her family will strive to function in a pastoral role, apart from (and without regard to the outcome of) any law enforcement or other investigation related to the alleged abuse.
- 2. Those involved in the pastoral care of the survivor will handle any information shared by the survivor and his/her family in a discreet manner that respects the survivor's privacy and good name.

**Note:** To ensure that the Archdiocese complies with all legal obligations and acts in a just and fair manner in response to allegations, information provided to *any* Archdiocesan personnel may need to be reported to the civil authorities in compliance with any applicable laws (*see* Section III) or to others involved in investigating an allegation.

- 3. In order to focus on the survivor's pastoral needs, the Victim Assistance Coordinator and other personnel involved in providing pastoral care will not be involved in any investigation of the survivor's allegations (including any internal investigation or in any capacity as the Archdiocese's liaison with law enforcement).
- 4. The pastoral care offered by the Archdiocese shall be directed toward a survivor's support and healing. This includes arranging for professional counseling, at the Archdiocese's expense, in accordance with accepted standards of care and best practices. The Archdiocese also offers other forms of pastoral care, including information on support groups, retreats, opportunities for spiritual guidance, Masses and prayer services, and other services and resources that may aid in healing and support. In certain instances, this pastoral care may also extend to family members impacted by the reported abuse.

- 5. In accompanying the survivor (and his/her parents/guardian if the survivor is a minor or vulnerable adult) on a path toward healing, the Victim Assistance Coordinator and/or other appropriate Archdiocesan personnel may need to engage with the survivor and/or his/her mental health professional in several ways:
  - a. By arranging for the survivor to obtain an initial assessment from a qualified, licensed mental health professional at the Archdiocese's expense;
  - b. By engaging with the counselor on an ongoing basis to obtain recommendations for length of counseling and treatment goals, to make payment arrangements, and to monitor progress;
  - c. By evaluating other requests, on a case-by-case basis, to meet other treatment needs of a survivor, such as medical evaluations and treatment, in-patient programs, substance abuse programs, psychological testing, medications, or other treatment needs that the Archdiocese, in its discretion, deems appropriate to cover;
  - d. By assisting in identifying other resources to meet the pastoral and spiritual needs of a survivor and/or his/her family members; and
  - e. By coordinating with others who may also be involved in assisting the survivor (and his/her parents/guardian if the survivor is a minor or vulnerable adult) in meeting his/her spiritual, educational, catechetical, or other pastoral needs, such as a pastor, principal, school counselor, parish minister, spiritual director, case manager, or the like.

### **III.Our** Commitment to Ensure Mandatory Reporting of Allegations of Suspected Abuse.

The Archdiocese recognizes that the protection of the most vulnerable is an obligation shared by the entire community. The Archdiocese is committed to ensuring that any allegation of suspected abuse or neglect of a minor is promptly reported to civil authorities, irrespective of whether the allegation pertains to an Archdiocesan parish, school, or ministry, and it is our policy to cooperate with civil authorities in their investigation.

### A. Mandatory Reporting Requirement to Civil Authorities.

It is Archdiocesan policy to report all allegations of suspected abuse or neglect of a minor to the appropriate civil authorities. Under the laws of both the State of Maryland and the District of Columbia, anyone who suspects abuse or neglect of a minor is a mandatory reporter. This means that all Archdiocesan clergy, seminarians, employees, and volunteers who have reason to suspect the abuse or neglect of a minor must immediately make a report to the appropriate civil authorities and make a report to the Archdiocese consistent with Section III(B) of this Policy (*see* <u>Appendix A</u> for a list of civil authorities and contact information). In addition, certain professionals, including health practitioners, educators, police officers, and human service workers who learn of alleged abuse while acting in their professional capacity must comply with additional reporting requirements.<sup>7</sup> *See* <u>Appendix A</u> (contact information) and <u>Appendix B</u> (reporting guidance).

The Archdiocese will assist those who request help making a report. Where possible, the Archdiocese will also advise victims and/or their families of their right to report independently and support their exercise of that right. Those who make good-faith reports are provided civil and criminal immunity according to Maryland and District of Columbia laws, and the Archdiocese will not condone any retaliation against them.

Additionally, local law requires anyone who suspects that a minor has been the victim of mental injury or is in immediate danger of abuse or neglect as a result of drug-related activities to immediately make a report to the appropriate civil authorities.

Any person may also report suspected abuse or neglect of an adult to the civil authorities, and reporting information and guidance can be found in <u>Appendix A</u> and <u>Appendix B</u>.

The Office of the General Counsel is available to assist Archdiocesan parishes and departments in ensuring that all reporting requirements are met.

### B. Additional Reporting Requirement to Archdiocesan Officials.

In addition to fulfilling all mandatory reporting obligations to civil authorities, any Archdiocesan clergy, seminarian, employee, or volunteer who has reason to suspect the abuse or neglect of either a minor or a vulnerable adult in relation to an Archdiocesan ministry must also immediately make a report to the Archdiocese. This must be done in consultation with the pastor or supervisor, as applicable (except in cases where the pastor or supervisor is the

<sup>&</sup>lt;sup>7</sup> The sole exception to the obligation to report is when an ordained priest obtains information subject to the priest-penitent privilege in accordance with Canon Law. This exception is also recognized under the applicable civil laws of most states.

accused). The report should be provided to the relevant Archdiocesan office in accordance with <u>Appendix C</u> (e.g., Catholic Schools Office will be the contact for school-related reports, Office of Catechesis for religious education related reports, etc.). Any questions regarding where to make a report should be directed to the Office of the General Counsel.

### C. Mandatory Reporting: Additional Principles.

Any suspected abuse or neglect of a minor involving a bishop shall be reported by the Archdiocese consistent with the requirements under Canon Law and *Vos Estis*, as explained more fully in Section IV(C).

Any report of alleged abuse or neglect that occurred in a non-Archdiocesan setting and which does not involve any Archdiocesan clergy, seminarian, employee, or volunteer (such as an allegation occurring within a family) must still be reported to civil and Archdiocesan authorities consistent with this Policy and the applicable law.

All Archdiocese employees and volunteers who make or receive a report are expected to exercise due care and discretion to respect the privacy and good name of the alleged victim, his/her family, and anyone who has been accused of abuse or neglect. It may, however, be necessary for the reporter to share any information known about the abuse with the civil authorities and Archdiocesan personnel involved in investigating the allegation.

The Archdiocese will not take or condone any punitive or retaliatory action against any person who makes a good-faith report of suspected abuse or neglect of a minor or vulnerable adult.

# IV. Our Commitment to Respond Appropriately to any Report of Suspected Abuse of a Minor or Vulnerable Adult by any Archdiocesan Cleric, Employee, or Volunteer.

The Archdiocese remains steadfastly committed to providing a safe environment for all those entrusted to our care, and we re-affirm our responsibility to respond timely and appropriately to all reports of suspected abuse of a minor or vulnerable adult. In addition to reporting these allegations to the civil authorities and cooperating with law enforcement, the Archdiocese has an established process that respects the tenets of both Canon Law and civil law. This process is intended to ensure that

- 1. Upon receiving a report, administrative measures are promptly taken as a precaution to minimize any risk of potential harm to an alleged victim or the community;
- 2. A clear, timely, and just process is utilized to investigate and resolve such allegations in accord with Canon Law. This process includes the involvement of a review board that advises the Archbishop on allegations against clerics in accord with the Charter and Essential Norms;
- 3. A "zero tolerance" policy is enforced such that a single act of sexual abuse by a cleric that is admitted or established after an appropriate canonical process will be grounds for permanent removal from ministry;
- 4. A similar "zero tolerance" policy mandates the termination of an employee or dismissal of a volunteer who has committed a single act of sexual abuse; and
- 5. Appropriate steps are taken to respect the rights and good name of all parties involved throughout the process and to restore the good name of anyone who has been accused of an allegation that is determined to be false or unfounded.

### A. Reporting and Cooperation with Civil Authorities.

If the Archdiocese receives an allegation of abuse of a minor or vulnerable adult by a cleric, employee, or volunteer of the Archdiocese, the Archdiocese will ensure that the allegation is promptly reported to law enforcement (in accordance with Section III) and investigated by the Archdiocese in accordance with Canon Law (for clerics) or other applicable Archdiocesan policies (for employees and volunteers).

The Archdiocese will offer its cooperation with the civil authorities and, where appropriate, defer its own investigation until after the civil authorities have had the first substantive contact with the alleged victim and the accused. This may not always be feasible, such as where it may be necessary to warn the alleged victim or others who may be at risk of harm.

### B. When an Allegation is Received Against an Active Cleric Serving in the Archdiocese.

### Initial Steps in Response to an Allegation.

The Archbishop or his delegate will undertake the following initial steps to investigate an allegation received against a cleric who is currently serving in active ministry for the Archdiocese:

- 1. When any parish, school, department, office, or ministry receives a report involving a cleric currently serving in ministry for the Archdiocese, the Archbishop and his delegate(s) must be promptly notified of the allegation and of the report made to civil authorities.
- 2. The Archbishop or his delegate(s) will promptly notify the Chair of the Advisory Board, the General Counsel, and any others who need to be aware that a report has been made.
- 3. If the allegation of sexual abuse has the semblance of truth and is not otherwise manifestly unfounded, the Archbishop will initiate a Preliminary Investigation in accordance with Canon Law. The aim of the Preliminary Investigation is to inquire about the facts, circumstances, and imputability<sup>8</sup> of the allegation to determine whether there is sufficient evidence to support the allegation and, therefore, to conclude that a canonical delict may have been committed.
- 4. If the allegation is of such a nature that canonical procedures are not applicable (*e.g.*, such as if the allegation pre-dates the clergy member's ordination), then the Archbishop may nevertheless initiate an investigation into the matter in order to determine the cleric's suitability for future ministry.<sup>9</sup>
- 5. The following additional steps will be taken with respect to the accused cleric in any investigation:<sup>10</sup>
  - a. Pending the results of any investigation by the civil authorities and/or the Archdiocese, the accused cleric may be prohibited from publicly exercising any sacred ministry, office, or ecclesiastical function (such as a prohibition to celebrate Masses publicly or to continue to function as pastor or parochial vicar). The accused cleric may also be subject to a direction or restriction related to the cleric's residency (such as a prohibition on residing at a parish, school, or other Archdiocesan property where the alleged abuse occurred or where minors may be present).

<sup>&</sup>lt;sup>8</sup> The term "imputability" is a canonical term that refers to a cleric's legal responsibility for the alleged acts.

<sup>&</sup>lt;sup>9</sup> Where the term "investigation" is used in this Policy, it encompasses the procedures that are generally applicable both to a Preliminary Investigation and to a suitability determination.

<sup>&</sup>lt;sup>10</sup> If the accused is a member of a religious order or an extern cleric from another diocese, the Archbishop or his delegate(s) will notify the superior of the order or the diocesan Ordinary about the existence of the allegation and it will be determined whether the Archdiocese or the religious order/diocese will undertake the canonical investigation.

- b. Ordinarily, the accused cleric will be informed of the general nature of the allegation (to the extent possible and with deference to any investigation by the civil authorities), provided with an explanation of the overall canonical investigative process, and advised that he may retain the assistance of civil and canonical counsel.
- c. An accused cleric may be requested to seek and voluntarily comply with a comprehensive psychological evaluation at a facility mutually acceptable to the Archbishop and the accused.

### **Investigation Process.**

- 6. If the civil authorities have undertaken an investigation, the Archbishop may need to defer moving forward with any investigation until after the civil authorities have had a sufficient opportunity to investigate. The Archbishop may also designate one or more persons to serve as a case-specific contact to coordinate with the civil authorities and to coordinate the Archdiocese's own investigation.
- 7. In some cases, an investigation by the Archdiocese may not be necessary, such as where a cleric has admitted the allegation. An investigation may also refer to or rely upon the actions taken by civil authorities, such as where the accused has been criminally prosecuted. In all cases, at the discretion of the Archbishop or his delegate(s), an investigator or other experienced professionals may be retained to gather and/or analyze evidence related to the allegation.
- 8. While an investigation is pending, the Archdiocese will exercise due care to respect the privacy and good name of the alleged victim and his/her family, to treat them with dignity and respect, to offer them pastoral support, and to avoid prematurely judging the truth or falsity of the allegation. The Archdiocese will also exercise due care to respect the privacy and good name of any witnesses contacted as part of its investigation, with the understanding that evidence shared by witnesses will be used in the investigative process and thus may not be entitled to absolute confidentiality.
- 9. While an investigation is pending, the Archdiocese will also exercise due care to respect the privacy and good name of the accused, to treat him with dignity and respect, to offer any necessary support, to respect the presumption of innocence, and to avoid prematurely judging the truth or falsity of the allegation. Given the Archdiocese's commitment to cooperate with civil authorities and its desire to act with transparency, however, it may be necessary for the Archdiocese to communicate with the alleged victim, the civil authorities, the affected communities, and the public regarding the allegations.
- 10. Both the alleged victim and the accused may be requested to provide testimony, documents, or other evidence to be included in the written record and considered in any Archdiocesan investigation.

### **Determination by the Archbishop.**

Once the Archdiocese's investigation has been concluded (whether it is a Preliminary Investigation or suitability inquiry), the Archbishop will review and assess the allegations and the findings of the investigation, consult with the Advisory Board, and determine whether the available evidence supports the allegation against the cleric. The Archbishop will also determine what, if any, additional canonical, pastoral, or other action(s), should be taken (apart from any civil law or criminal law process) using the following process:

- 11. At the conclusion of the investigation, a report will be given to the Archbishop and the Advisory Board for review, which may include a written record of the allegations; a detailed description of interviews of the alleged victim(s), the cleric, and other witnesses; any written statements or documentation provided by the alleged victim or the accused; part or all of the cleric's personnel file or other Archdiocesan records; records obtained from civil authorities or others; and any other pertinent evidence.
- 12. The Archbishop shall convene the Advisory Board to assist him in his assessment of the allegation. The Promotor of Justice shall also be present to assist the Advisory Board in its functions. The Advisory Board may be asked to review the report in order to offer its advice about whether there is sufficient evidence to support the allegation. The Advisory Board may advise the Archbishop that further investigation should be conducted or that additional information should be requested to clarify or supplement the record; however, the Advisory Board does not itself participate in gathering evidence or performing the investigation.
- 13. Once its deliberations have concluded, the Advisory Board will summarize its advice in a confidential memorandum to the Archbishop. The report (and any accompanying materials), the deliberations of the Advisory Board, and any memoranda, notes, or other materials prepared by or for the Advisory Board are not retained by Board members and shall remain strictly confidential.
- 14. After receiving the advice of the Advisory Board, the Archbishop will make his own determination as to whether there is sufficient evidence to support the allegation of sexual abuse. The Archbishop's decision will be promptly communicated to the cleric and the alleged victim. The Archbishop's determination may also be communicated to the affected community.
- 15. The Archbishop will also communicate his determination to the Holy See, along with any other recommendations that he deems appropriate, in accord with Canon Law.

### Additional Steps After Archbishop's Determination.

The following shall apply when the Archbishop determines that an allegation against a cleric is supported by sufficient evidence:

- 16. If the Archbishop determines that the allegation is supported by sufficient evidence, the accused cleric shall remain out of active ministry and shall continue to be subject to the restrictions described above in paragraph 5(a) of this section, or any other restrictions deemed appropriate by the Archbishop in accord with Canon Law.
- 17. A finding by the Archbishop that there is sufficient evidence to support an allegation of sexual abuse is not an ultimate determination as to the guilt or innocence of the accused

cleric, which can be established only through an appropriate process under the applicable criminal law, civil law, or Canon Law.<sup>11</sup>

- 18. A single act of sexual abuse by a cleric that is admitted or is established through an appropriate canonical process will result in the offending cleric's permanent removal from ministry and may be grounds for dismissal from the clerical state. If the cleric is not dismissed, the Archbishop may impose other restrictions to ensure that the cleric does not exercise active, public ministry.
- 19. No cleric who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese/eparchy or religious province. If a cleric intends to take up residence only (without active ministry) in another diocese/eparchy or religious province, the Archbishop shall forward, in a confidential manner, to the local bishop/eparch or religious ordinary (if applicable) of the proposed place of residence, all information concerning any alleged or established act of sexual abuse of a minor or vulnerable adult and any other information bearing upon whether the cleric has been or may be a danger to minors or vulnerable adults. This shall apply even if the cleric will reside in the local community of an institute of consecrated life or society of apostolic life.

The following shall apply when the Archbishop determines that the allegation against the cleric is not supported by sufficient evidence or is false or unfounded:

20. If the allegation is not supported by sufficient evidence or has been demonstrated to be false or unfounded, the Archdiocese will work with the accused cleric to restore his good name. If the community has been previously notified of the allegation, or if the allegation has been made public, the Archdiocese will work in consultation with the accused cleric to inform the community of the outcome of the investigative process and take further steps to provide mental health services or other pastoral support to enable the cleric's return to active ministry, as determined by the Archbishop.

### C. When an Allegation is Received against a Bishop.

Any allegation of sexual abuse made against the Archbishop or an Auxiliary Bishop of the Archdiocese will be reported to the civil authorities and investigated in accordance with Canon Law and the norms of *Vos Estis*. The Archdiocese has fully implemented and will abide by the norms of *Vos Estis*. The United States Conference of Catholic Bishops has established a third-party reporting system that receives sexual abuse allegations against bishops, and this reporting information is readily available on the Archdiocese's website. A qualified lay person is identified whose responsibilities include ensuring that allegations against a bishop are reported to civil authorities and investigated appropriately in accordance with Canon Law. The process established by the norms of *Vos Estis* ensures that allegations against a bishop are routed to a different bishop, to the Apostolic Nuncio, and to the Holy See, which is responsible to oversee an appropriate investigation.

<sup>&</sup>lt;sup>11</sup> If the canonical case against the cleric would otherwise be barred by prescription (*i.e.*, the canonical statute of limitations), the Archbishop may apply to the Holy See for an exception in accord with Canon Law.

### D. When an Allegation is Received against an Employee.

- 1. If the Archbishop receives an allegation of abuse of a minor or vulnerable adult by an employee of the Archdiocese that has the semblance of truth and is not otherwise manifestly unfounded, the accused employee will be placed on administrative leave in accordance with applicable Archdiocesan employment policies, as a precautionary measure, pending further investigation by the civil authorities and/or the Archdiocese. The accused employee will also be suspended from any volunteer activities within the Archdiocese and will have his/her volunteer privileges suspended while an investigation is pending.
- 2. The accused employee will be informed of the general nature of the allegation (to the extent possible and with deference to any investigation by the civil authorities) and provided with an explanation of the Archdiocese's investigative process.
- 3. Consistent with its employment policies, the Archdiocese reserves the right to conduct its own investigation of an employee's conduct in relation to an allegation of abuse and to take appropriate disciplinary action against any employee who is found to have violated this Policy, the Archdiocese's Employment Policies, the Code of Conduct, or other standards of conduct that govern employees.
- 4. If the civil authorities have undertaken an investigation, the Archdiocese may need to defer moving forward with any investigation until after the civil authorities have had a sufficient opportunity to investigate. One or more Archdiocesan staff will be designated to serve as the case-specific contact(s) to coordinate with the civil authorities and to coordinate the Archdiocese's own investigation.
- 5. The Archdiocese will exercise due care to respect the privacy and good name of the alleged victim and his/her family, to treat them with dignity and respect, to offer them pastoral support, and to avoid prematurely judging the truth or falsity of the allegation. The Archdiocese will also exercise due care to respect the privacy and good name of any witnesses contacted as part of its investigation, with the understanding that evidence shared by anyone will be used in the investigative process and thus may not be entitled to absolute confidentiality.
- 6. The Archdiocese will also exercise due care to respect the privacy and good name of the accused and to treat him/her with dignity and respect. Given the Archdiocese's commitment to cooperate with civil authorities and to conduct its affairs with transparency, it may be necessary for the Archdiocese to communicate with the alleged victim, the civil authorities, the affected communities, and the public regarding the allegations.
- 7. An employee will be immediately terminated for cause and shall be ineligible for rehire (and prohibited from any volunteer activities involving minors or vulnerable adults within the Archdiocese) if the employee: (1) admits guilt, does not contest guilt, or is found guilty of the abuse of a minor or vulnerable adult in a criminal proceeding, or is found liable for the abuse of a minor or vulnerable adult in a civil proceeding; (2) refuses to disclose the findings of any child welfare services investigation to the Archdiocese or interferes with the Archdiocese's efforts to obtain access to the findings; or (3) is the subject of an abuse investigation by any child welfare services agency that results in a final adjudication that

the abuse was indicated, substantiated, or a similar finding that it was more likely than not that the abuse occurred.

- 8. In all other circumstances, an employee's reinstatement will be considered on a case-bycase basis in accordance with the Archdiocese Employment Policies and the clearance and suitability requirements under Section I. Whether to reinstate an employee shall be at the discretion of the Archbishop or his delegate, who may consult with any parish or Archdiocesan offices as necessary to determine the most appropriate course of action.
- 9. If an allegation made against an employee is not supported by sufficient evidence to warrant disciplinary action or has been demonstrated to be false or unfounded, the Archdiocese will work with the accused employee to restore his/her good name and, if possible, his/her position. If the community has been previously notified of the allegation, or if the allegation has been made public by the Archdiocese, the Archdiocese will work in consultation with the accused employee to inform the community of the outcome of the investigative process and provide mental health services or other pastoral support to enable the employee's return to ministry, if feasible and appropriate.

### E. When an Allegation is Received against a Volunteer.

- 1. A volunteer accused of abuse of a minor or vulnerable adult will be promptly suspended from any volunteer activities and privileges within the Archdiocese as a precautionary measure pending further investigation.
- 2. A volunteer will be permanently barred from volunteering in any Archdiocesan ministry involving access to minors or vulnerable adults (and from any future employment with the Archdiocese) if the volunteer: (1) admits guilt, does not contest guilt, or is found guilty of the abuse of a minor or vulnerable adult in a criminal proceeding, or is found liable for the abuse of a minor or vulnerable adult in a civil proceeding; (2) refuses to disclose the findings of any child welfare services investigation to the Archdiocese or interferes with the Archdiocese's efforts to obtain access to the findings; or (3) is the subject of an abuse investigation by any child welfare services agency that results in a final adjudication that the abuse was indicated, substantiated, or a similar finding that it was more likely than not that the abuse occurred.
- 3. In all other cases, a volunteer may petition the Archdiocese for reinstatement once the allegation has been fully resolved by the civil authorities. The volunteer's petition should be submitted to the Chancellor, and the request may be reviewed with pertinent parish, school, and/or Archdiocesan offices to determine the most appropriate course of action.
- 4. In reviewing the volunteer's request for reinstatement, the Archdiocese may utilize the criteria and process for handling allegations made against employees, to the extent applicable.
- 5. Volunteering with minors or vulnerable adults is a privilege, and volunteers always serve at the sole discretion of the Archdiocese. It shall always be within the Archdiocese's sole discretion whether or not to permit a person to volunteer in any ministry.

6. If an allegation made against a volunteer is not supported by sufficient evidence to warrant disciplinary action or has been demonstrated to be false or unfounded, the Archdiocese will work with the accused volunteer to restore his/her good name. If the community has been previously notified of the allegation, or if the allegation has been made public by the Archdiocese, the Archdiocese will work in consultation with the accused volunteer to inform the community of the outcome of the investigative process and provide mental health services or other pastoral support to enable the volunteer's return to ministry, if feasible and appropriate.

# F. When an Anonymous Allegation is Received against a Cleric, Employee, or Volunteer of the Archdiocese.

When an allegation is made anonymously, or when the person making the allegation cannot be identified or contacted, it may not be possible for the Archdiocese to investigate without additional information. An anonymous allegation made against a cleric, standing on its own, will be difficult to assess for the purposes of determining whether or not a Preliminary Investigation should be initiated under Canon Law. Provided there is sufficient information to make a report, the allegation will still be reported to the civil authorities consistent with applicable law.

# G. When an Allegation is Received against a Deceased Cleric, Employee, or Volunteer of the Archdiocese.

If an allegation is made against an Archdiocesan cleric, employee, or volunteer who is deceased, the Archdiocese will make a report to civil authorities, and the Archdiocese will offer pastoral care for the alleged victim. However, the Archdiocese may not be able to take the appropriate steps necessary to investigate the allegation, canonically or otherwise. As such, the Archdiocese will not ordinarily issue any public statement or determination regarding the truth or falsity of any allegations made against a deceased cleric, employee, or volunteer.

### V. Our Commitment to Accountability and Transparency.

The Archdiocese understands that trust is built upon accountability and transparency. We are resolved to continue abiding by these principles in administering the Archdiocese's safe environment program. The Archbishop regularly consults with an advisory board, comprised primarily of lay experts, to obtain advice on both policy matters and specific allegations. The Archdiocese is also committed to communicating regularly with the lay faithful and the public, including by compiling and publishing annual data and information regarding all facets of its safe environment program and compliance efforts.

### A. Advisory Board.

The Archdiocese has an Advisory Board for Safe Environment and the Protection of Minors ("Advisory Board") that serves as a confidential consultative body to assist the Archbishop in discharging his responsibilities in two important respects: (1) advising the Archbishop in his assessment of allegations of sexual abuse of a minor or vulnerable adult by a cleric; and (2) advising the Archbishop on Archdiocesan policies and safe environment efforts related to the protection of minors and vulnerable adults entrusted to the care of Archdiocesan ministries.

In compliance with the Charter and Essential Norms, the Advisory Board is comprised of at least five members with relevant expertise who have outstanding integrity, good judgment, and an appreciation of the teachings of the Catholic Church. A majority of the Board will always be lay people who are not employed by the Archdiocese.

The Advisory Board's role in advising the Archbishop on allegations of sexual abuse made against clerics implements the requirements of the Charter and Essential Norms. The Advisory Board's role is to provide advice to assist the Archbishop in his assessment of allegations so that he may determine what, if any, additional canonical, pastoral, or other action(s) should be taken (apart from any civil law or criminal law process). In all cases, the Advisory Board's confidential advice is neither intended to be a final determination as to the truth or falsity of an allegation nor an admission or recognition that an alleged incident did or did not occur. Rather, the Advisory Board's role is to advise the Archbishop in fulfilling his duties, as further outlined in Section IV of this Policy.

The Advisory Board's role in advising on policy matters encompasses, among other things, assisting the Archdiocese in its periodic review and implementation of this Policy, as well as its compliance mechanisms, victim assistance efforts, and training and educational programs. The Advisory Board also reviews the data and other information collected that pertains to the Archdiocese's safe environment program, which is compiled in an annual report that is published on the Archdiocese's website.

### **B.** Communication.

It is the policy of the Archdiocese to engage openly with its faith communities and the public in its efforts to protect minors and vulnerable adults. When an allegation is received that necessitates a public response, the Archdiocese will endeavor to provide timely, factual, and clear information to the impacted communities. Archdiocesan staff will also provide support to parish and school leadership to ensure that the Archdiocese is communicating in a pastorally appropriate way to the needs of the impacted community. Any media inquiries regarding alleged incidents of abuse should be directed to the Secretariat of Communications for assistance and response.

The Archdiocese strives to respect the privacy and reputation of those involved, most importantly of survivors, when communicating about allegations. If an allegation has been determined to be false or unfounded, the Archdiocese will also work with the accused to share relevant updates with the affected communities, as appropriate, to restore his or her good name.

### C. Record Keeping.

- 1. <u>Records Related to Allegations</u>: The Archdiocese maintains records pertaining to allegations of abuse that it receives, as well as the records related to its handling of these allegations, in accord with its *Records Retention Policy*. These records are stored securely and kept in strict confidence. Consistent with its policy of cooperating with the civil authorities, Archdiocesan records will be made available to law enforcement investigating or prosecuting an allegation, in accordance with the applicable law. These records may also be accessed and utilized by those Archdiocesan staff who are involved in handling any canonical process involving a cleric.
- 2. <u>Compliance Records</u>: The Archdiocese also maintains records and data pertaining to its safe environment programs in order to monitor its compliance and demonstrate its accountability to the faithful and the public. These records include, among other things, data and information pertaining to background checks, training courses, educational programs, attendance records, financial support, and other data and information related to the Archdiocese's safe environment program. The Archdiocese shares this information with its Advisory Board, which regularly reviews and monitors the Archdiocese's safe environment procedures to assess their effectiveness and to ensure continued compliance with the Charter, Essential Norms, and best practices.

### **D.** Annual Reports.

Each year, Archdiocesan staff shall prepare an annual report of its safe environment program, as directed by the Archbishop. This report should include data and other information related to the Archdiocese's compliance with its obligations pertaining to background checks, training courses, and educational programs. This report should also include data and information related to allegations received and financial resources committed to its safe environment programs, compliance efforts, and assistance for survivors. This report will be presented to the Advisory Board for review and then published on the Archdiocese's website.

### Definitions

Accused: A person alleged to have committed an act of abuse of a minor or vulnerable adult.

Adult: A person eighteen (18) years of age or older.

Abuse: Any act of sexual abuse, physical abuse, or neglect, as these terms are further defined below.<sup>12</sup>

**Sexual Abuse:** Any act or interaction with a minor or vulnerable adult that involves sexual contact, molestation, exploitation, or any activity of a sexual nature, regardless of whether injuries are sustained or whether the minor or vulnerable adult initiated and/or consented to the act or interaction. This includes, but is not limited to, the following:

- The intentional touching of the genitals or intimate parts, including the female breast, the genital area, groin, inner thigh, or buttocks of a minor or vulnerable adult by a perpetrator, or of a perpetrator by a minor or vulnerable adult, for purposes of sexual arousal or gratification;
- The intentional touching and/or displaying of one's own genitals or intimate parts including the female breast, the genital area, groin, inner thigh, or buttocks in the presence and view of a child for purposes of sexual arousal or gratification;
- Rape, sexual intercourse (vaginal or anal), oral/genital, or oral/anal contact;
- Displaying or providing to a child any type of pornographic or obscene material, including any visual, audio, digital, or other representation that consists principally of sexual content.
- Any involvement in the production, possession, or depiction of child pornography; or
- Any other act or interaction toward a minor or vulnerable adult that would constitute sexual abuse, molestation, or exploitation under the applicable local or federal law.

**Physical Abuse:** Any intentional act or physical interaction that inflicts physical or psychological injury, regardless of the extent of actual injury, or anything that would constitute physical abuse under the applicable local law. This includes, but is not limited to, the use of corporal punishment, which is prohibited in all entities under the auspices of the Archdiocese of Washington. This does not include the use of appropriate physical restraint to prevent a minor or vulnerable adult from attempting to injure themselves or another person, the appropriate physical direction of a minor or vulnerable adult away from danger, or another appropriate limitation of movement that is intended to protect a minor or vulnerable adult.

**Neglect:** The failure to give proper care or attention to a minor, as defined by the applicable local law. This includes, but is not limited to, leaving a minor unattended in a situation where the minor's health or welfare is harmed or where a minor is placed at substantial risk of harm.

Clergy or Cleric: A baptized male ordained as a Catholic deacon, priest, or bishop.

<sup>&</sup>lt;sup>12</sup> This conduct may constitute a delict under the Code of Canon Law Cann. 1326, 1385, and/or 1398.

**Contact with a minor or vulnerable adult:** A person has contact with minors or vulnerable adults when his/her regular duties involve the supervision, care, or unsupervised access to minors or vulnerable adults. For the purposes of this Policy, "contact" includes any interactions (whether inperson or virtual) with minors or vulnerable adults that are (a) anticipated as part of one's regular duties, and not unexpected or merely incidental; and (b) which may occur either routinely (every day, every week, etc.) or sporadically. All clergy, seminarians, school employees and volunteers, religious education employees and volunteers, and all other employees and volunteers who participate in Archdiocesan school activities, childcare, religious education, camps, youth ministry (including scouting and athletic programs), and ministries to vulnerable adults are presumed to fall under this definition.

**Employee:** A person directly employed (in a full- or part-time capacity) by the Archdiocese, or by any of its parishes, schools, departments, offices, or ministries.

Minor: A person under the age of eighteen (18) years old.

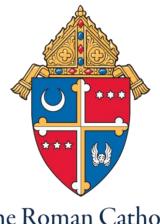
**Non-Cleric Religious:** A person who is not a cleric but who has been accepted by and taken vows/promises to a recognized Catholic religious order.

**Unsuitable:** A person may be considered unsuitable to have contact with minors or vulnerable adults in an Archdiocesan setting if that person (a) fails or refuses to complete the required background check or training; (b) provides false information as part of his/her background check or application, or in response to any subsequent investigation by the Archdiocese; (c) has been convicted of murder; child abuse or neglect; any other crime against children; spousal abuse; any sexual crime, including rape or sexual assault; kidnapping; arson; physical assault; or any drug-related offense committed during the preceding 5 years; or any other crime which places his/her trustworthiness to have contact with minors or vulnerable adults into question, in the sole discretion of the Archdiocese; (d) is registered with a State or National Sex Offender Registry (or was previously required to register); or (e) exhibits conduct, behavior, or judgment which the Archdiocese determines, in its sole discretion, renders that person unsuitable to have contact with minors or vulnerable adults.

**Volunteer:** A person who provides, without compensation, any service to the Archdiocese or to any of its parishes, schools, departments, offices, or ministries, as determined by the Archdiocese in its sole discretion.

**Vulnerable Adult:** Under the penal law of the Catholic Church, a vulnerable adult is a person eighteen (18) years or older who either (a) habitually possesses an imperfect use of reason (*see Penal Sanctions In the Church, User Guide for Book VI of the Code of Canon Law, p. 159*); or (b) is in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits his/her ability to understand, or to want (consent), or to otherwise resist an offense (*see Vos Estis Lux Mundi Art. 1, Sec. 2(b)*).

# Appendices to the SAFE ENVIRONMENT POLICY



The Roman Catholic Archdiocese *of* Washington

### APPENDIX A

### Mandatory Reporting: Contact Information for Civil Authorities in the District of Columbia and Maryland

**All Persons:** Reporting suspected cases of child<sup>1</sup> abuse or neglect is everyone's responsibility. Detailed guidance for making a report to the civil authorities in the District of Columbia and Maryland is included in Appendix B. If you have reason to believe that a child has been or is being abused (sexually or physically) or neglected, you must report it as soon as possible to the appropriate civil authorities.<sup>2</sup>

- <u>In the District of Columbia</u>: Call Metropolitan Police Dept. Youth and Family Services Division at 202-576-6768 or Child & Family Services Agency at 202-671-SAFE (7233).
- <u>In Maryland</u>: Call the local police department or local Child Protective Services agency (refer to table below for contact information). You can also call 911 to report to the police or 1-800-917-7383 to report to the Maryland Department of Human Services.
- If the report involves any Archdiocesan cleric, employee, or volunteer, or otherwise relates to an Archdiocesan parish, school, or ministry, the reporter must also submit the report to the appropriate Archdiocesan department (see Appendix C for further guidance).
- Call 911 if a child is in immediate danger.

Additional Requirements for Professionals: Certain professionals, including health practitioners, educators and childcare providers, as well as athletic coaches in the District of Columbia, must also take the following steps in making a report to the civil authorities:

- <u>In the District of Columbia</u>: If requested, fax or mail a written report to the Child and Family Services Agency or Metropolitan Police Department (refer to table below for contact information).
- <u>In Maryland</u>: Submit a written report using Maryland DHR/SSA Form 180 (Report of Suspected Child Abuse/Neglect) by fax or U.S. mail to the local Child Protective Services agency within 48 hours, with a copy sent to the local office of the State's Attorney (refer to table below for contact information).

**Reporting Guidance:** The report should include all details that are known or available to the person making the report, including: (1) the identity of the alleged victim and the accused; (2) the nature of the alleged abuse or neglect; (3) where and when it took place; (4) any potential witnesses; and (5) any other details or information disclosed or known to the reporter. The reporter must defer to law enforcement, and not undertake their own investigation, if any of the specific details are not readily available. Please refer to Appendix B for further detailed reporting guidance.

**Reporting Forms:** A copy of any written report must be submitted to the appropriate Archdiocesan department (see contact information in Appendix C). The reporting forms are included in Appendix D.

<sup>&</sup>lt;sup>1</sup> Both the District of Columbia and Maryland law use the term "child" to identify anyone under the age of 18, which has the same meaning as the term "minor" used in this Policy.

<sup>&</sup>lt;sup>2</sup> There is an exception to the mandatory reporting requirements if the report would violate the seal of the confessional.

District of Columbia	Child & Family Services Agency 200 I St. SE Washington, DC 20003 202-442-6100 202-671-SAFE (7233) Fax: 202-727-6505 Email: <u>cfsa@dc.gov</u>	Metropolitan Police Depar Youth and Family Services 5002 Hayes Street, NE Washington, DC 20019 202-576-6768 Fax: 202-576-6561	nd Family Services Division ayes Street, NE gton, DC 20019 5-6768		
Calvert County	Md. Dept. of Social Services 200 Duke Street Prince Frederick, MD 20678 443-550-6900 Fax: 410-286-7429	County Sheriff 30 Church St. Prince Frederick, MD 20678 410-535-2800	State's Attorney Office 175 Main St. Prince Frederick, MD 20678 410-535-1600 x2369 Fax: 410-535-2436		
Charles County	Md. Dept. of Social Services 200 Kent Avenue LaPlata, MD 20646 301-392-6739 301-932-2222 (after hours) Fax: 301-934-2662	County Sheriff 6915 Crain Highway PO Box 189 La Plata, MD 20646 301-932-2222	State's Attorney Office P.O. Box 3065 La Plata, MD 20646 301-932-3360 Fax: 301-932-3410		
Montgomery County	Dept. of Health and Human Services 1301 Piccard Drive Rockville, MD 20850 240-777-4417 Fax: 240-777-4258	Police Department Special Victims Investigations Division 100 Edison Park Drive Gaithersburg, MD 20878 240-773-5400	State's Attorney Office 50 Maryland Ave. Rockville, MD 20850 240-777-7300 Fax: 240-777-7413		
Prince George's County	Md. Dept. of Social Services 805 Brightseat Road Landover, MD 20785 301-909-2450 301-699-8605 (after hours) Fax: 301-909-2200	Police Department Child and Vulnerable Adult Unit 8801 Police Plaza Upper Marlboro, MD 20772 301-772-4930	State's Attorney Office 14735 Main St. Upper Marlboro, MD 20772 301-952-3500 Fax: 301-952-3775		
St. Mary's County	Md. Dept. of Social Services 23110 Leonard Hall Drive Leonardtown, MD 20650 240-895-7016 301-475-8016 (after hours) Fax: 240-895-7099	County Sheriff 23150 Leonard Hall Dr. Leonardtown, MD 20650 301-475-8008	State's Attorney Office 41605 Courthouse Dr. Leonardtown, MD 20650 301-475-4200 x4500 Fax: 301-475-4596		

# **Contact Information for Local Civil Authorities**

### **APPENDIX B**

### Mandatory Reporting: Summary of Requirements & Guidance for Making a Report

It is a legal requirement, as well as Archdiocesan policy, to report all allegations of suspected abuse or neglect of a child to the appropriate civil authorities. This Appendix B provides guidance to assist with reporting in the District of Columbia and Maryland. Contact information for the civil authorities in the District and the five Maryland counties that comprise the Archdiocese of Washington is found in Appendix A. In addition to making a report to the civil authorities, a report involving any Archdiocesan clergy, seminarian, employee, volunteer, parish, school, or ministry must also be submitted to the Archdiocese of Washington using the contact information listed in Appendix C. The Archdiocesan Office of the General Counsel is available if you need any assistance related to making a report. The Office of the General Counsel can be reached at legaladmin@adw.org or 301-853-4495.

### I. <u>District of Columbia</u>

### A. When a Report is Required in the District of Columbia

### i. Suspected Abuse or Neglect of a Minor

District of Columbia law requires any person who knows, or has reasonable cause to believe, that a child is a victim of sexual abuse to immediately make a report to the police or the District's Child and Family Services Agency.<sup>3</sup>

In addition, District of Columbia law has specific reporting requirements that apply to certain professionals. Any medical professional, school employee, day care worker, or athletic coach must make a report to the civil authorities if he/she, acting in a professional capacity, learns or suspects that a child (a) has been abused or neglected or is in immediate danger of being abused; (b) has been the victim of actual or attempted sexual abuse or is in immediate danger of being sexually abused; (c) has been assisted, supported, caused, encouraged, commanded, enabled, induced, facilitated, or permitted to become a prostitute; (d) has 10 or more days of unexcused absences from school and is between the ages of 5 and 13; or (e) has an injury caused by a bullet, knife, or other sharp object which has been caused by other than accidental means.

In each of these instances, the professional must make an oral report to the Child and Family Services Agency or the Metropolitan Police Department of the District of Columbia. The reporter may also be requested to document this report in writing.

### ii. Suspected Abuse or Neglect of a Vulnerable Adult

While there is not a mandatory reporting requirement for vulnerable adults, District of Columbia law provides that any person *may* voluntarily report an alleged case of abuse, neglect, self-neglect, or exploitation when he or she has reason to believe that an adult is in need of protective services.<sup>4</sup> This report should be made to the Department of Aging and Community Living, which can be reached at 202-541-3950. Please call 911 if you have reason to believe a vulnerable adult is in

<sup>&</sup>lt;sup>3</sup> D.C. Code § 22-3020.52(a)

<sup>&</sup>lt;sup>4</sup> D.C. Code § 7-1903(a)(2)

immediate danger. If a report of alleged abuse of a vulnerable adult involves any Archdiocesan cleric, employee, or volunteer, or otherwise relates to an Archdiocesan parish, school, or ministry, the reporter must provide a copy of this report to the appropriate Archdiocesan department (see Appendix C).

## B. What Information to Report in the District of Columbia

District of Columbia law provides specific information that must be included in an oral or written report. The report must include, to the extent known: (a) the name, age, sex, and address of the child who is the subject of the report; (b) each of the child's siblings and other children in the household; (c) each of the child's parents or other persons responsible for the child's care; (d) the nature and extent of the abuse or neglect of the child and any previous abuse or neglect, if known; and (e) all other information which the person making the report believes may be helpful in establishing the cause of the abuse or neglect and the identity of the person responsible for the abuse or neglect.

**Note:** The reporter must defer to law enforcement, and not undertake their own investigation, if any of the specific information requested above is not readily available.

The Archdiocese strongly encourages all reports of suspected abuse or neglect of a minor to be documented in writing. A written report is also required to be provided to the Archdiocese (using the contact information in Appendix C) whether the report to the civil authorities is made orally or in writing.

## II. State of Maryland

# A. When a Report Is Required in Maryland

## i. Suspected Abuse or Neglect of a Minor

Maryland law requires <u>anyone</u> who has reason to believe that a child has been subjected to abuse or neglect to notify local law enforcement or the local Child Protective Services agency.<sup>5</sup>

In addition, Maryland law has specific reporting requirements for certain professionals, including any health practitioner, educator, police officer, or human service worker who, acting in a professional capacity, has reason to believe that a child has been subjected to abuse or neglect. These professionals must comply with the following specific requirements:

- 1) Make an oral report, by telephone or direct communication, as soon as possible to local law enforcement or the local Child Protective Services agency;
- 2) Make a written report (using Maryland DHR/SSA Form 180, Report of Suspected Child Abuse/Neglect) to the local Child Protective Services agency within 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been subjected to abuse or neglect; and
- 3) Provide a copy of the written report to the local office of the State's Attorney.

<sup>&</sup>lt;sup>5</sup> Md. Family Law Code § 5-705

### ii. Suspected Abuse of Neglect of a Vulnerable Adult

While there is not a mandatory reporting requirement for vulnerable adults, any individual who has reason to believe that an alleged vulnerable adult has been subjected to abuse, neglect, self-neglect, or exploitation *may* file with the local Office of Adult Services (within the Department of Human Services) an oral or written report of the suspected abuse, neglect, self-neglect, or exploitation.<sup>6</sup> Please call 911 if you have reason to believe a vulnerable adult is in immediate danger. If the alleged abuse of a vulnerable adult involves any Archdiocesan cleric, employee, or volunteer, or otherwise relates to an Archdiocesan parish, school, or ministry, the reporter must provide a copy of this report to the appropriate Archdiocesan department in accordance with Appendix C.

## B. What Information to Report in Maryland

Maryland law provides specific directions for certain professionals (identified above) on what information must be included in the report. This should also serve as guidance to assist anyone who needs to make a report.

The report must include, to the extent known: (a) the name, age, and home address of the child; (b) the name and home address of the child's parent or other person who is responsible for the child's care; (c) the whereabouts of the child; (d) the nature and extent of the abuse or neglect of the child, including any evidence or information available to the reporter concerning possible previous instances of abuse or neglect; and (e) any other information that would help to determine the cause of the suspected abuse or neglect and the identity of any individual responsible for the abuse or neglect.

**Note:** The reporter must defer to law enforcement, and not undertake their own investigation, if any of the specific information requested above is not readily available.

The Archdiocese strongly encourages all reports of suspected abuse or neglect of a minor to be documented in writing, even if not required by the civil authorities. A written report is required to be provided to the Archdiocese (using the contact information in Appendix C) whether the report to the civil authorities is made orally or in writing.

## C. What Forms to Use to Make a Report in Maryland

The State of Maryland has published a fillable form, Maryland DHR/SSA Form 180, *Report of Suspected Child Abuse/Neglect* (a copy of this form is included in Appendix D), that is intended for use by health practitioners, educators, police officers, and human service workers who make a report while acting in a professional capacity. Anyone else may also utilize this form.

Updated December 2024

<sup>&</sup>lt;sup>6</sup> Md. Family Law Code § 14-302

### **APPENDIX C**

### Archdiocese of Washington Reporting Requirements

Anyone who makes a report of suspected abuse or neglect in the District of Columbia, Maryland, or any other jurisdiction relating to any Archdiocesan clergy, seminarian, employee, volunteer, parish, school, or ministry must also document this report with the Archdiocese.<sup>7</sup> The information below is intended to assist a reporter in determining which Archdiocesan department should receive the report.

The Archdiocese utilizes an internal fillable form, *Report of Suspected Abuse* (see Appendix D) to document reports of suspected abuse. Please attach a copy of the completed Maryland Form 180 to your submission to the Archdiocese where applicable.

### **Contact Information for Archdiocesan Departments**

- Office of the Secretary for Ministerial Leadership and Vicar for Clergy: All reports involving seminarians, clergy, and non-clerical members of religious communities.
  - Phone: 301-853-4577
  - Email: <u>clergy@adw.org</u>
  - Any reports involving non-clerical members of religious communities should also be sent to the Office of Consecrated Life, 301-853-4576, or <u>ocl@adw.org</u>.
- <u>Catholic Schools Office</u>: Reports made by or involving school employees or volunteers or otherwise arising out of school activities.
  - Phone: 301-853-4518 or 301-853-4569
  - o Email: <a href="mailto:schools@adw.org">schools@adw.org</a> or <a href="mailto:dillona@adw.org">dillona@adw.org</a>
- <u>Catechesis Office</u>: Reports made by or involving religious education employees or volunteers or otherwise arising out of religious education activities.
  - Phone: 301-853-5368
  - o Email: faithformation@adw.org or blauvelts@adw.org
- <u>Office of Safe Environment</u>: All other reports made by or involving any employee or volunteer or otherwise arising out of any parish or Archdiocesan activities.
  - Phone: 301-853-5328
  - Email: <u>safeenvironment@adw.org</u>

The Office of the General Counsel is available at <u>legaladmin@adw.org</u> or 301-853-4495 if you need any assistance related to making a report.

Updated December 2024

<sup>&</sup>lt;sup>7</sup> Archdiocese of Washington's Safe Environment Policy Section III(A).

### **APPENDIX D**

### **Reporting Forms**

This Appendix D provides reporting forms to assist in fulfilling the legal requirement, as well as Archdiocesan policy requirement, to report all allegations of suspected abuse or neglect of a child to the appropriate authorities. The Archdiocese utilizes an internal fillable form, Report of Suspected Abuse, to document reports of suspected abuse. The State of Maryland has published a fillable form, Maryland DHR/SSA Form 180, Report of Suspected Child Abuse/Neglect, that is intended for use by health practitioners, educators, police officers, and human service workers who make a report while acting in a professional capacity. The Archdiocesan Office of the General Counsel is available if you need any assistance related to making a report. The Office of the General Counsel can be reached a <u>legaladmin@adw.org</u> or 301-853-4495.

- Maryland DHR/SSA Form 180 (Report of Suspected Child Abuse/Neglect)
- Archdiocese of Washington Report of Suspected Abuse Form

#### State of Maryland – Child Protective Services REPORT OF SUSPECTED CHILD ABUSE/NEGLECT (See Instructions on reverse side)

1.	NAME OF LOCAL DEPARTMENT BEING NOTIFIED	ADDRESS		ZIP	ZIP CODE				
2	PERSON MAKING REPORT (Name)		3. POSITIO						
Ζ.			3. POSITIO	N/IIILE			7		
4.	NAME OF DEPARTMENT/ORGANIZATION	ADDRES	5			1	ZIP CODE		PHONE NUMBER
6.	TYPE OF REFERRAL SEXUAL ABUSE SEXUAL ABUSE		NEGI	ECT	MENTAL INJU	RY-ABUSE	MENTAL	INJURY-NE	GLECT
7.	NAME OF CHILD		8. SE	x	9. BIRTH DATE	10. RACE			
11.	ADDRESS (Where Child Can Be Seen)				12. GRADE 13.	SCHOOL			]
14.	NAME OF PERSON RESPONSIBLE FOR CHILD'S CARE		14A. AGE/	DOB_14B. AD	DDRESS			14C. TEL	EPHONE NUMBER
	PARENTS/GUARDIAN		AGE/DO	B	ADDR	ESS			PHONE NUMBER
	MOTHER:							ļ	
	FATHER:								
	GUARDIAN (Specify Relation):								
15.	NAME OF ALLEGED ABUSER/NEGLECTOR	16. RELA	TION	17. AGE/DO	B 18. ADDRESS			19. TEL	EPHONE NUMBER
20.	STATE NATURE/EXTENT OF THE CURRENT ABUSE/NEGLECT T	O THE CHIL	.D IN QUEST	ION: EXPLAI	N THE CIRCUMSTA	NCES LEADING T	FO THE SUSPI	CION THE (	CHILD IS AN
	ABUSE/NEGLECT VICTIM. DESCRIBE ANY INJURY OR RISK. DE								
21.	LIST INFORMATION CONCERNING PREVIOUS ABUSE/NEGLEC	T TO THE C	HILD/OTHEI	R CHILDREN I	N THE FAMILY, INC	CLUDING PREVIO	US ACTION	FAKEN. DES	CRIBE HOW THE
	REPORTER KNOWS INFORMATION.								]
22									
22.	DESCRIBE INFORMATION KNOWN ABOUT FAMILY FUNCTION RESPONSE BY FAMILY TO DISCLOSURE. DESCRIBE HOW THE	-			ENT, CARETAKER, (	JIHER ADULISI	IN HOIVIE AINI	J CHILDREP	NAND LIKELY
23.	L STATE ANY OTHER AVAILABLE INFORMATION THAT WOULD /	AID IN ESTA	BLISHING T	HE CAUSE O	THE ALLEGED AB	JSE/NEGLECT.			
24.	ARE WEAPONS IN THE HOME OR KNOWN TO BE CARRIED	25. IS	THERE A HIS		DLENCE, DRUGS, M	ENTAL 20	6. IF YES TO F	TITHER, DES	SCRIBE IN DETAIL
	BY THE FAMILY OR ALLEGED MALTREATOR?				N THE FAMILY?			ARATE SHEE	
	Yes No Unknown		□Yes	□ No	Unknown				
27	SIGNATURE OF PERSON REPORTING		DATE			UR OF ORAL CO			
.ر_ ا									
29.	waiver of confidentiality: I agree to waive my	right to	o confid	entiality	as a mandat	ed reporte	ſ. 🗌 Yes	5 🗌 No	
20									
30.	REPORT ASSIGNED     31. NAME OF LDSS S       Yes     No	AFF PERS			OKT WAS MADE	1			

# **INSTRUCTIONS**

(The 180 form can either be hand-written or filled out on line. If filling out the form on line, please save the form to your computer prior to filling out the form.)

### MANDATED REPORTING:

Every health practitioner, educator, human services worker, or law enforcement officer who, in a professional capacity, has reason to believe that a child has been abused or neglected is required to make an oral *AND* written report to either a local department of social services or to the police.

A reporter does not need to have observed outward signs of injury. It is also not necessary for the reporter to have proof that abuse or neglect occurred. Protection of the child is paramount. If a reporter suspects abuse or neglect, a report must be submitted.

Please note that, effective October 1, 2016, if a local department has reason to believe that a mandated reporter knowingly failed to make a report of suspected child abuse or neglect, the local department must file a complaint with the appropriate licensing board or employer of the mandated reporter.

### TIMELINES:

A mandated reporter must make an oral report of suspected child abuse or neglect immediately and submit a written report within 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been abused or neglected.

### DEFINITIONS OF CHILD ABUSE AND CHILD NEGLECT:

### "Child abuse" means: (Fam. Law § 5-701(b); COMAR 07.02.07.02)

Physical injury, not necessarily visible, or mental injury of a child by a parent, other individual who has permanent or temporary care or custody or responsibility for supervision of a child, or by a household or family member under circumstances that indicate that the child's health or welfare was harmed or placed at substantial risk of harm;

Any sexual abuse, meaning an act or acts involving sexual molestation or exploitation, to include sex trafficking, whether physical injuries are sustained or not by a parent, other individual who has permanent or temporary care or custody or responsibility for supervision of a child, or by a household or family member; or

Mental injury to a child, meaning the observable, identifiable and substantial impairment of a child's mental or psychological ability to function, that is caused by the act of a parent or other individual who has permanent or temporary care, or custody or responsibility for supervision of a child, or by a household or family member.

### "Child Neglect means: (Fam. Law § 5-701(s); COMAR 07.02.07.02)

The failure to give proper care and attention to a child, including leaving a child unattended, by the child's parent or other individual who has permanent or temporary care or custody, or responsibility for supervision of the child, under circumstances that indicate that the child's health or welfare was harmed or placed at substantial risk of harm; or

Mental injury to a child, meaning the observable, identifiable and substantial impairment of a child's mental or psychological ability to function, or a substantial risk of mental injury that is caused by the failure to give proper care and attention to a child by the child's parent, or other individual who has permanent or temporary care or custody, or responsibility for supervision of the child.

### COMPLETING THE REPORT OF SUSPECTED CHILD ABUSE/NEGLECT (180 form):

Respond to each item even if the reply is "unknown" or "none." Use additional paper if necessary to complete any given section.

- 1. Name of Local Department Being Notified: Oral and written reports of suspected child abuse or neglect must be made to the local Child Protective Services unit in the jurisdiction where the incident allegedly took place.
- 2. Person Making Report (Name): Regardless of who is completing the form, the reporter should be the person who witnessed or has firsthand knowledge of the incident. Any person, including a health practitioner, educator, human services worker, or law enforcement officer, involved in making a good faith report, or participating in an investigation or resulting judicial or administrative proceeding is immune from any civil liability or criminal penalty that might otherwise be incurred or imposed as a result.
- 6. Type of Referral: Please check all that apply.
- 7. Name of Child: Identify only one child per report.
- 11. Address (Where Child Can Be Seen): Please provide the location where the child can be located *both* during the day *and* after normal school or working hours.
- 29. WAIVER OF CONFIDENTIALITY: Without written permission, the local department will not share the identity of the reporter unless ordered to by the court. However, the reporter may be contacted by a local department during an investigation and may be called to participate in an administrative hearing.
- 30. Report Assigned: The person taking your report may not be able to tell you whether the report will be accepted either for an investigation or an alternative response. Some types of referrals are not appropriate or are "legally insufficient" for a CPS response. If your concerns do not meet the criteria for a CPS response, you will be referred, when possible, to alternative resources. Even if you know that the oral report of abuse or neglect is not being accepted for a CPS response, you are still required to submit the written report. Please keep a copy for your records.
- 31. NAME OF LDSS STAFF PERSON TO WHOM ORAL REPORT WAS MADE: Please record the name of the person at the local department to whom you made the report.



The Roman Catholic Archdiocese of Washington

Archdiocesan Pastoral Center: 5001 Eastern Avenue, Hyattsville, MD 20782-3447 Mailing Address: Post Office Box 29260, Washington, DC 20017-0260 (301) 853-4500 | adw.org

## **Report of Suspected Child Abuse and/or Neglect**

Please submit report via email to: safeenvironment@adw.org or contact our office at: 301-853-5328. (Please print or type using black ink.)

Report date:	Incident date:					
<b>CONTACT INFORMATION:</b>						
1. Person submitting this report:						
Name:	Title:					
Parish/School/Facility Name:						
Street Address:						
City and State:	Zip Code:					
Daytime Phone:	E-mail:					
2. Person(s) suspected of misconduct: Name:	Title:					
Parish/School/Facility Name:						
Date of Birth (m/d/y): Age:	Sex (check one): Male Female					
Currently deceased? (check one) Yes No	Unknown					
Street Address:						
City and State:	Zip Code:					
Daytime Phone:	E-mail:					
3. Suspected victim(s) of misconduct:						
Name:						
Age Now: Age at Time of Incident:	Sex (check one): Male Female					
Street Address:						
City and State:	Zip Code:					
Daytime Phone:	E-mail:					
4. Report to civil authorities:						
Agency Name:						
County/City:						
Phone:						
Date of Report:						
Individual Receiving Report:						
INCIDENT INFORMATION (please provide on a separate sheet of paper, preferably typed)						

- Describe the incident of suspected child abuse and/or neglect, including date, time and location.
- Identify eyewitnesses to the incident, including names, addresses and telephone numbers, when available.
- Provide other information that may be helpful to an investigation.