

RESPONSE TO COMPLAINTS OF SEXUAL MISCONDUCT

Q. How are complaints or allegations of sexual misconduct handled in the Diocese of Orange?

A. The Diocese of Orange treats any complaint of sexual misconduct seriously. It deals with such allegations in a prompt, thorough and confidential manner with compassion and consideration for all those involved.

- A complaint against a Diocesan priest, deacon, religious personnel assigned in the Diocese of Orange, Catholic school personnel, or other Diocesan employee may be initiated by calling 1-800-364-3064.
- All complaints will be answered by the Diocese of Orange Assistance Ministry Coordinator who will respond to and assist the caller in directing the complaint to the proper authority.
- A complaint against a Diocesan priest, religious priest or deacon may also be initiated by a telephone call to the Director of Clergy Personnel (714) 282-3108; or in the case of complaints against an employee, volunteer, women religious or religious brothers assigned in the Diocese of Orange, by a call to the Director of Human Resources (714) 282-3023; or in writing addressed to the Director of Clergy Personnel (in the case of clergy) and to the Director of Human Resources (in the case of lay personnel, religious or volunteers).

The address is:
P.O. Box 14195
Orange, California 92863-1595

- Complaints against religious personnel assigned in the Diocese of Orange will normally be referred to the respective religious order superiors or provincial generals.
- Complaints against parish employees or volunteers may be directed to the pastor or parochial vicar of the parish in question or directly to the Director of Human Resources for the Diocese of Orange.

Q. How will the Diocese of Orange handle sexual misconduct claims against a member of the clergy (i.e. bishops, priests or deacons)?

A. If a member of the clergy is accused of sexual misconduct the complaint will be referred to the Assistance Ministry Coordinator (AMC), who will respond promptly to the complaint. The AMC will listen to the victim and address their requests and needs. The AMC will also offer counseling, pastoral support and other services as indicated. In addition the AMC will assist the victim in the investigation process. The AMC will notify the Sexual Misconduct Oversight and Review Board ("SMORB"), of the allegation. SMORB is an independent professional committee that meets monthly to review and make recommendations. In dealing with the complaint, the diocese will:

- Make every effort to act in a way that protects people from being harmed, including relieving an accused priest or deacon from ministerial duties when warranted by substantiated facts and/or risk of harm;
- Comply with all applicable civil reporting mandates governing sexual abuse;
- Offer victims and their families assistance in obtaining psychological counseling and spiritual direction (coordinated by the Assistance Ministry Coordinator); and
- Deal as openly as possible with members of the parish community while respecting the privacy of the individuals involved and in accordance with Church law governing such situations.
- All allegations related to clergy sexual misconduct with minors will be investigated by SMORB and a recommendation will be made to the Bishop of Orange upon completion of its investigation.

PREVENTING SEXUAL MISCONDUCT

Q. What is being done to prevent sexual misconduct in the Church?

A. Every effort is being made to assure that all persons ministering (working and volunteering) in the Diocese of Orange are aware of and will abide by the policies prohibiting sexual misconduct and of the procedures for dealing with incidents of sexual misconduct.

In addition to background checks, all school and religious education personnel are screened for their suitability to work safely with children and, are provided information to help recognize and deal with issues of child sexual abuse, and are given guidance and instruction on appropriate professional conduct with students.

All seminarians and candidates for the diaconate undergo extensive evaluation, psychological assessment and background checks before entering formation. After ordination, priests and deacons receive ongoing training on maintaining the integrity of the ministerial relationship. Every person has the right to be respected and treated with the dignity befitting a child of God. Every person is owed the respect of appropriate boundaries. Every person has the right to challenge offensive and inappropriate behavior and comments. It is the responsibility of everyone to protect the safety of children, families, vulnerable persons, women and men, and to promote healing of injury with justice and mercy toward all.

B. A yearly audit is conducted by the National Office of Child and Youth Protection to ensure compliance with the "Charter for the Protection of Children and Young People" adopted by the Bishops of the United States in 2002.

C. A Safe Environment Office has been established to ensure yearly, age-appropriate abuse prevention education for children from Kindergarten through High School in both our private schools and our religious education programs. There are also teacher, volunteer and parent components for each age group. Safe Environment contacts have been named in every parish to oversee compliance with the diocesan mandate for personal safety education for our children.

Questions or concerns can be addressed to the Director of the Safe Environment Office at 714-282-3077.

*"...For we are the temple of the living God."
2 Corinthians 6:16*

**Toll Free Reporting Line
1-800-364-3064**

RESPECTING RESPECTING THE BOUNDARIES



Diocese of Orange

Revised Oct. 2005

"Jesus spoke to them again, saying 'I am the light of the world. Whoever follows me will have the light of life.'" (John 8:12)

DEFINING THE PROBLEM:

Sexual Misconduct in the Ministerial Relationship

Q. What constitutes a "ministerial relationship"?

A. This is a relationship in which a person is receiving pastoral care from a church leader.

Whenever a person begins a relationship with any person in his or her capacity as a church official or leader, a ministerial relationship is created.

This applies to:

- Clergy (bishops, priests, deacons);
- Members of religious communities (priests, brothers, sisters);
- Lay ministers, lay pastoral associates, youth ministers and liturgical ministers;
- Spiritual directors and pastoral counselors;
- School personnel;
- Seminary faculty, staff and administrators;
- Religious education teachers, church camp counselors and choir directors;
- Volunteers

THE NATURE OF SEXUAL MISCONDUCT

Sexual misconduct is any form of sexual conduct that is unlawful; that is contrary to the moral instructions, doctrines, and canon law of the Catholic Church; and that causes injury to another. It may constitute sexual abuse, sexual harassment or sexual exploitation.

More specifically:

Q. What is sexual misconduct in the ministerial relationship?

A. Sexual misconduct in the ministerial relationship is sexualized contact or sexualized behavior by a person in a ministerial or pastoral role directed at a parishioner, employee, student, spiritual director, counseling client, or anyone who has sought the Church's ministry.

Dear Brothers and Sisters in Christ,

God gifted humans with gender and sexuality, making us male and female and saw that this was good. The Bible teaches that any good gift from God can become twisted or corrupted and may cause injury and offend human dignity.

Together we are called to minister to all of God's people and show special tenderness and care for those who are vulnerable. We as the Church strive to create worship, educational and work environment where all persons treat each other with dignity, charity and respect.

Sexual misconduct by clergy, church personnel, church leaders and volunteers is contrary to Christian morals, doctrine and canon law. When minors are involved it is also illegal. **It is never acceptable.** We recognize that sexual misconduct may have devastating consequences for the victims and their families, for the Church community, and for the transgressor. While this subject is troubling to all of us, basic information about sexual misconduct in the ministerial setting is needed in order to protect the vulnerable and assure integrity in these relationships.

The Diocese makes this pamphlet available to all employees, teachers, lay and ordained parish ministers, parents and parishioners at large as part of its effort to ensure the integrity of its ministries. It also endeavors to explain how issues of sexual misconduct are addressed within our Church and to give information on where to seek assistance and how to respond most effectively in situations where sexual misconduct has occurred. With the wisdom that comes from the Spirit, let us work together to respect ministerial boundaries and keep ministerial relationships healthy and holy.

Yours in Christ Our Savior,
Most Reverend Tod D. Brown
Bishop of Orange

Q. What is sexual harassment?

A. Sexual harassment includes verbal, physical or visual conduct that creates an intimidating, offensive or hostile work environment or that unreasonably interferes with job performance. Additionally, sexual harassment includes any request or demand for sexual favors that is implicitly or expressly a condition of employment or continued employment. Some examples of sexual harassment include sexual advances or suggestions; unwelcome sexually oriented remarks; dirty jokes; the display or distribution of offensive photographs, posters or cartoons; and any unwelcome, intentional touching of the intimate areas of another person's body.

Q. What is sexual exploitation?

A. Sexual exploitation is sexual use of a child for sexual arousal, gratification, advantage, or profit.

Q. What is sexual abuse?

A. Sexual abuse is sexual contact between a church representative and a minor or a "vulnerable adult" as defined by law.

Either sexual exploitation or sexual abuse can include **physical contact** from the church leader or representative such as:

- Sexual touch or other intrusive touching (i.e. tickling, wrestling, or other physical contact) that causes uneasiness or discomfort
- Inappropriate gift (such as lingerie).
- A prolonged hug when a brief hug is customary behavior.
- Kissing on the lips when a kiss on the cheek would be appropriate.
- Showing sexually suggestive objects or pornography.
- Sexual intercourse, anal or oral sex.

Sexual exploitation or sexual abuse can also include **verbal behavior** such as:

- Innuendo;
- Sexual comments;
- Tales of sexual exploits or
- Making sexual proposals.

Q. What if the victim did not stop the sexual contact when it began or what if the victim initiated it?

A. It is a common dynamic in ministry for some to feel attracted to those in church leadership positions, or to feel flattered by his or her attention. This never excuses any form of sexual misconduct. Clergy or other church leaders who engage in any form of sexual misconduct are violating the ministerial relationship, misusing their authority and power, and are taking advantage of the vulnerability of those who are seeking spiritual guidance.

Because of the respect and even reverence with which many people view the Church's ministers, there is always an imbalance of power and hence a vulnerability inherent in the ministerial relationship. By definition, therefore, there is an absence of meaningful consent to any activity, even if the person is an adult. Because of this imbalance of power, conduct inappropriate to the ministerial relationship is never okay. It is always the responsibility of the Church leader to maintain the appropriate emotional and sexual boundaries of those they serve and those with whom they work.

Q. What is the impact of ministerial sexual misconduct on its victims?

A. Victims of ministerial sexual misconduct frequently feel deep shame or self-condemnation. They may fear not being believed or fear being blamed by Church officials or members. Many times they desire to protect the abuser or the Church from scandal, or may not even realize that the way they were treated was abusive. Sadly, victims can experience a crisis of faith and even leave the Church altogether.

*"We will implement in every respect the American Catholic Bishops' **The National Charter for the Protection of Children and Young People** and our own diocesan policies for the prevention of the abuse of children and young people."*

The Covenant With the Faithful, Jan. 2004



If you have any questions or concerns please contact our Charter Implementation Coordinator at 714-282-3112.