

2.1.9 Appendix I-Principles Governing the Pastoral Care of Sexual Abuse Victims

(PRINCIPLES FOR MINISTERING TO VICTIMS OF ABUSE, NOVEMBER 11, 2013, UPDATED NOVEMBER 4, 2020)

1. The values of truth and the pastoral mission of the Church inform the approach of the Diocese when persons report, or others report on their behalf, that they were sexually abused, whether as a minor or as an adult, by clergy, employees, or others associated with the Diocese, and regardless of whether the abuse took place recently or in the past.
2. These values also underlie the diocesan practice of the procedures contained in the Charter for the Protection of Children and Young People, its observance of the *Essential Norms* for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by clerics, the *Moto Proprio Vos Estis Lux Mundi*, its continuing cooperation with audits conducted by the USCCB, and the Diocese's own expectations under its Code of Conduct, Employee Handbook, and other policies.
3. Allegations are reported and investigated in a truthful way that complies with all civil and ecclesiastical laws, cooperates with civil authority, and respects the dignity and rights of the persons who are involved.
4. Since "the first obligation of the Church with regard to the victims is for healing and reconciliation" (Charter, article 1), pastoral outreach and assistance are offered to victims in a way that is tailored to the specific circumstances.
5. The victim will be kept apprised of the consequences for the accused, both the immediate consequences (such as temporary removal from ministry) and long-term arrangements (such as return to ministry or laicization).
6. The name of all clerics credibly accused of sexual abuse of a minor will be posted on the diocesan website along with a listing of previous assignments and indicating whether the cleric had multiple allegations against him. Absent an admission or a criminal conviction, a living cleric's name will not be posted until a final determination of guilt is made by the Holy See.

(ELABORATION OF PRINCIPLES GOVERNING THE PASTORAL CARE OF VICTIMS)

When a person reports sexual abuse, the Catholic Diocese of Lansing will treat the person with respect, listen carefully, ascertain the facts insofar as possible, and provide such healing and peace as the Diocese is able to provide.

This memorandum describes in greater detail the ministry of the Catholic Diocese of Lansing toward persons who report that they were sexually abused, whether as a minor or as an adult, by clergy, employees, or others associated with the Diocese. The principles stated in this memorandum reflect the current practices of the Diocese, and are

summarized here for the convenience of those who wish to be informed about those practices.

There are innumerable variables in these cases. Among them are the age, sex, and current emotional condition of the victim, as well as the nature, seriousness and extent or duration of the alleged abuse. The accused may be alive or dead. If a cleric, the accused may be in active ministry, in senior status, deceased, or laicized. The accused might be an incardinated cleric of this Diocese, or might be a member of a religious order or a cleric of another diocese. Sometimes there is other evidence to shed light on the accusation, and sometimes there is not. And, always, the facts will be unique.

For these reasons, there are limits to a bishop's ability to specify exactly how a case should proceed. Instead, these directions are a set of principles that are to be applied consistently throughout our handling of current or future allegations.

In cases involving allegations of sexual misconduct, whether against a minor or an adult, all persons acting on behalf of the Diocese of Lansing are to observe the following —

1. The Diocese will fully satisfy its obligations under the law of the State of Michigan, and will fully satisfy its obligations under the canon law of the Catholic Church, including the Charter for the Protection of Children and Young People, the Essential Norms for Diocesan / Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by clerics, and the *Moto Proprio Vos Estis Lux Mundi*. The Diocese will fully cooperate with the periodic audits conducted by representatives of the United States Conference of Catholic Bishops.
2. The Diocese will maintain its current policies strictly prohibiting sexual abuse of minors or adults and other forms of related misconduct, including sexual harassment. These policies will remain easily accessible through the diocesan website and other sources.
3. The Diocese will continue to publicize its desire that victims of sexual abuse by a cleric or employee come forward and report that they have been harmed by this grave sin.
4. The Diocese will continue to publicize the contact information for the Victim Assistance Coordinator, as well as the willingness of the Diocese to accept reports sent indirectly to the Diocese through other pastoral ministers and employees.
5. Any person approaching a representative of the Diocese with an allegation of sexual abuse or related misconduct will be treated with courtesy, respect, and charity at every stage of our interaction with that person.
6. Throughout the time that an allegation is being considered, the Diocese will protect the safety and dignity of the person making the allegation, and will respect the presumption of the accused person's innocence.
7. If a complaint of ongoing abuse is received, the Diocese will take immediate action to safeguard the victim. Without limitation, such action should include immediate

notification of the police, and an immediate administrative leave of absence for the accused person.

8. If a complaint of abuse involves abuse that is no longer ongoing, the Diocese will encourage the victim to report the abuse to law enforcement and the Diocese will notify the prosecuting attorney, which typically would be the county prosecutor but which could also include the Michigan Attorney General. If the allegation is against a present employee or a cleric engaged in public ministry, the accused will be placed on administrative leave or, if a cleric, the precautionary measures listed in canon 1722 will be imposed, provided this leave or these measures do not interfere with any investigation by law enforcement and provided that the accusation is not manifestly false.
9. An allegation of sexual abuse of a minor against a living employee or cleric will not be made public by the Diocese unless the accused person admits the allegation, or a criminal prosecution is begun, or there is a civil or canonical determination of guilt. If a person is placed on administrative leave or precautionary measures from canon 1722 are imposed, the Diocese will simply make that announcement, and will not address the guilt or innocence of a person until the question is properly resolved. An allegation against a deceased employee or cleric will not be made public by the Diocese unless the Diocese believes that the allegation is probably true after a review by the Review Board.
10. Notwithstanding the preceding paragraph, the Bishop will make an announcement to meet the situation if the circumstances require that he do so for the well-being of the victim, the accused, or the Church.
11. The Diocese will fully cooperate with law enforcement officials. In doing so, the Diocese will honor the confidentiality requirements of civil and canon law. This cooperation includes notifying the prosecuting attorney of any information known to the Diocese regarding an allegation of sexual abuse or other criminal misconduct, and delaying an internal investigation of the allegation if the police or prosecutor requests that the Diocese do so, pending the completion of a criminal investigation.
12. When a person alleges that he or she is a victim of a cleric or employee of this Diocese, the Victim Assistance Coordinator will invite the person to meet at a time and place of the person's convenience to discuss the allegation. The Victim Assistance Coordinator will offer support to aid the victim in obtaining healing, including counseling, retreats, or other assistance.
13. When a person alleges that he or she is a victim of a cleric or member of a religious order, or of a cleric or employee of another diocese, the Victim Assistance Coordinator will provide the person with the necessary contact information, and will continue to oversee the case until it is clear that the religious order or other diocese has acknowledged receipt of the allegation.

14. The Victim Assistance Coordinator will provide anyone alleging sexual abuse with access to documents containing the details of his or her allegation to the Diocese so that the accuser may verify that the allegation documented by the Diocese is in fact the allegation he or she alleged. As an example, documents to be provided would include any narrative of the allegation recorded by the Victim Assistance Coordinator or by the diocesan investigator.
15. Except where there is a particular need to do otherwise, the Diocese will communicate with a person who has made an allegation by the means (telephone, email, facsimile, or postal mail) preferred by the person. Important communications will be provided in writing, which can include email or an email attachment.
16. The Diocese will respond promptly to communications from a person who has made an allegation. Ordinarily, routine communications will be answered within two or three business days. Where additional time is necessary, as when a substantive answer must be given, the Diocese will provide the answer within a reasonable time and the Diocese will tell the person within two or three business days when the person should expect to receive the substantive answer.
17. The Diocese will ensure that all allegations of sexual abuse against clergy, employees, or others associated with the Diocese are investigated, whether by law enforcement or internally using a private investigator. The investigator shall verify allegations presented by victims directly with victims and will ensure that the allegation is reduced to writing.
18. If the person who has made an allegation is willing, the person will be given an opportunity to meet with the Review Board or the Advisory Council, as applicable, upon the completion of the investigation. Such a meeting can be conducted by videoconferencing if necessary. The Review Board or Advisory Council will schedule this meeting as soon as reasonably possible.
19. Within two weeks of reviewing an allegation, the Review Board or Advisory Council will notify the Bishop of its views regarding the credibility of the allegation and the steps that it recommends the Bishop take.
20. If, after full consideration of the known facts and the views of the Review Board, the Diocese determines that the allegation of sexual abuse of a minor is true, the Diocese will proceed as follows. If the accused person is a lay employee, the Diocese will terminate the person's employment. If the accused person is a cleric who has admitted the allegation, the Diocese will forward the matter to the Congregation for the Doctrine of the Faith (CDF) for judgment, requesting imposition of the penalties required by the Charter and Norms. If the accused person is a cleric who denies the allegation, the Diocese will forward the matter to the CDF for judgment. While awaiting judgment from the CDF, the Diocese will continue to impose the precautionary measures listed in canon 1722.

21. The Diocese will be mindful of, and carefully attend to, the pastoral needs of the parish(es) at which the accused person has served.
22. If the Diocese or an appropriate canonical or civil body determines that the allegation is true, the Diocese will, in the parish(es) where the accused person served, extend a particular invitation for other victims of the accused to come forward.
23. Should the Diocese determine that it is appropriate to reach an agreement with the victim regarding an appropriate resolution, the Diocese will not require a confidentiality clause.
24. Following the Review Board's or Advisory Council's determination, the person making the allegation will be given a written report regarding the Review Board's or Advisory Council's determination. The accused person will likewise be notified. If the allegation is determined to be false, the Diocese will take any appropriate steps to restore the good name of the accused.
25. All communications from the Diocese will be accurate in content and pastoral in tone.
26. The Diocese is committed to a process of continual improvement, reviewing its own policies and practices at regular intervals, and seeking the input of the Review Board and the Advisory Council with regard to those policies and practices.

I hereby approve, with immediate effect, *Appendix I – Principles Governing the Pastoral Care of Sexual Abuse Victims* as revised above, amending the previous norms which I approved on November 11, 2013.

Anything to the contrary notwithstanding.

Given at the Curia in Lansing on this the fourth day of November, the memorial of Saint Charles Borromeo, bishop, in the year of our Lord 2020.

Most Reverend Earl Boyea
Bishop of Lansing

Mr. Michael Andrews
Chancellor

Date approved by Bishop

11/11/13

Revised: November 2, 2020

Posted by

Msgr. S. J. Raica, chancellor