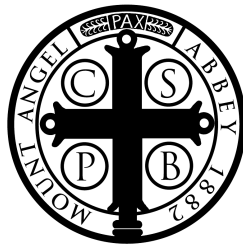


# MOUNT ANGEL ABBEY

## Program for Child Protection



REVISED: 8-8-08

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## Mount Angel Abbey Mission Statement

Mount Angel Abbey is a community of Benedictine monks, founded in 1882 from the Abbey of Engelberg in Switzerland. We share a monastic tradition that has been a vital part of the Roman Catholic Church for more than fifteen hundred years.

Responding to God's call to holiness and preferring nothing whatever to Christ, we dedicate ourselves to a life of prayer and work. We live as a vowed community under a Rule and an abbot, daily celebrating the Eucharist, praying the Liturgy of the Hours in choir, and devoting ourselves to reading and to silence. These spiritual fonts fortify the work of our hands, which features pastoral service, hospitality, and priestly formation. Thus we seek to serve God, the Church, and the larger community.

## I. INTRODUCTION

In the *Charter for the Protection of Children and Young People*, the United States Conference of Catholic Bishops (USCCB) recognized past failures on the part of church leadership to provide a safe environment in which minors (see definition, Appendix D) were protected from abuse by clergy and other church personnel. By adopting the Charter, they pledged themselves to protect minors in the future.

*Dioceses will establish 'safe environment' programs. They will cooperate with parents, civil authorities, educators, and community organizations to provide education and training for children [see definition, Appendix D], youth, parents, ministers, educators and others about ways to make and maintain a safe environment for children.*

**USCCB Charter, Article 12**

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

**USCCB Charter, Article 12**

The monks of Mount Angel Abbey are appalled by the abuse of minors no matter when or where it occurs. Child abuse is particularly heinous when the perpetrator is a member of the clergy or other church personnel. Mount Angel Abbey is committed to the USCCB pledge to protect minors in all works and ministries undertaken in the name of the monastic community.

All members of the monastic community, employees, volunteers and seminarians must adhere to the Program for Child Protection as described in this document. When official duties are carried out at another facility or under another institution's direction and supervision, all members are also subject to that facility's or institution's policies and procedures.

### Works and ministries of Mount Angel Abbey

1. Monastery
  - a. Spiritual direction, sacramental confession and other pastoral care
  - b. Occasional parish assistance and chaplaincies

*Clerics of Mount Angel Abbey serving as pastors, parochial vicars, and deacons in parishes of the Archdiocese of Portland or of another (arch)diocese, are under the canonical jurisdiction of the (arch)diocese in which they are serving.*

- c. Programs such as "Christian in the World", Bach Festival, etc., including social gatherings sponsored by Mount Angel Abbey.
2. Benet Hall Retreat House
  - a. Retreats: group and private
  - b. Reception of individual guests
  - c. Spiritual direction and other pastoral care

3. Mount Angel Abbey Library Services
  - a. Supports the seminary's academic mission
  - b. Provides library services for monks, students and the public
  - c. Maintains and protects part of the Abbey's patrimony
  - d. Open to ours by students of architecture and illuminated manuscripts
  - e. Provides space for events such as concerts and poetry readings
  
4. Mount Angel Seminary
  - a. Seminarians enrolled in Mount Angel Seminary are subject to the polices and procedures of the Program as outlined in this document during the academic year and while participating in programs required by the seminary and supervised by seminary personnel, unless otherwise specified in this document. The implementation of the Program in regard to seminary students is the responsibility of the President-Rector, who works in collaboration with the Office of Child Protection of Mount Angel Abbey.
  
  - b. Pastoral Formation Program of Mount Angel Seminary

For application to specific seminary programs, please see the Mount Angel Seminary Rule of Life in the pastoral formation section.

The policies established in this Program supercede all other policies established for the protection of minors in use within Mount Angel Abbey and Seminary at the time of promulgation, but they are not intended to supercede canon law or civil law.

The Abbot of Mount Angel Abbey retains the right at all times to address matters pertaining to these policies brought to his attention on a case-by-case basis in order to respond to specific situations and issues which may require an alternate response, with due respect for the requirements of civil and canon law and the goals of this Program for Child Protection.

## II. CODE OF ETHICAL STANDARDS

### A. GENERAL PRINCIPLES

1. Stewards of Authority

Throughout his public ministry, Jesus encountered many challenges concerning the origin of his authority. “By what authority are you doing these things? And who gave you this authority?” (Mt 21:23, Mk 11:28). Abbey personnel and seminarians that are in positions of leadership recognize that the authority of leadership comes from God as a gift for the welfare of the Church and it should be carried out with personal integrity and good stewardship.

2. Integrity

Abbey personnel and seminarians are expected to be persons of integrity, honesty, and high moral standards, and as such, they have a responsibility to lead by example. In the performance of their duties they are expected to conduct themselves in a responsible and conscientious manner, free from any deception, corruption, or action that could be deemed improper.

3. Respect for Others

Abbey personnel and seminarians respect the rights, dignity and worth of each person they encounter as a creation of God. They strive to be sensitive to cultural differences among people and appreciate the opportunities that diversity brings. Abbey personnel and seminarians are aware that issues of age, gender, race, religion, physical and mental disabilities, and language all affect how the message of the Gospel is received and interpreted.

4. Commitment to the Church and the Community

Abbey personnel and seminarians that are in positions of leadership embrace the teachings of Jesus and work to promote the Gospel. The Scriptures and the Magisterium of the Roman Catholic Church guide personnel and seminarians that are in positions of leadership when decisions must be made that directly affect those who are served.

5. Personal Well-being

Abbey personnel and seminarians are responsible for attending to their own physical, mental, emotional, spiritual and intellectual health. They should nurture their strengths in these areas and attend to their shortcomings. They should be supportive of one another in maintaining a sense of well-being. Abbey personnel and seminarians should be alert to any impediments to their well-being and seek appropriate assistance.

### B. GUIDELINES FOR WORKING WITH MINORS

Providing pastoral care to minors is a critical work of the Church and her ministers. There are, however, important considerations to take into account when providing this ministry. When working with minors, it is particularly important to recognize the imbalance of authority and power possessed by an adult, whether cleric or lay, over a child. In light of the requirements for ethical exercise of authority and the particular

vulnerability of minors, Abbey personnel and seminarians must observe the following guidelines when dealing with minors:

1. Respect and care are always to be shown to minors. Abbey personnel and seminarians must always use prudential judgment marked by personal and professional integrity to ensure the safety of minors, avoiding all inappropriate behavior or even the appearances of impropriety.
2. When providing one-on-one pastoral care to a minor, meetings should take place in open and accessible locations. Meetings must be arranged at times and in places that assure accountability, e.g., open spaces, rooms with transparent glass doors, areas where other adults are present, and normally with the knowledge of parents or guardians.
3. Retreats, days of recollection, or other gatherings for minors or adults with minor children sponsored by Mount Angel Abbey must include the participation of parents or designated guardians. An appropriate ratio of parents or guardians to young people must be maintained during any event. The ratio may vary according to the age of the children and the event. Children under the age of 10 will normally require a higher ratio of adult supervision, e.g., 1 - 5; children over 10 will normally require a lower ratio, e.g., 1 - 10. Good judgment must be used in each case by those responsible. Under no circumstance may only one adult supervise such a gathering.
4. When it is necessary to communicate with minors by email, the communication should be limited, appropriate and publishable for public scrutiny, if so required. Normally, such communication should be restricted to one's own family members and to official business, such as abbey and seminary vocations work, seminary admissions, official pastoral ministry assignments, etc. The cultivation of personal and confidential relationships between adults and minors via email is never appropriate. Likewise, online chats or chat room conversations between adults and minors are never appropriate and will be dealt with severely.
5. Resident Abbey personnel and seminarians are to avoid, whenever reasonably possible, being alone with a minor (or minors) in a residence, automobile, bedroom, locker room, rest room, dressing facility, classroom, or any isolated area. Overnight trips with a minor alone are never permitted.
6. No one under 18 may reside in Abbey facilities, except in the case of a first-year college student, unless supervised by parents or a guardian.
7. No one under 18 may be taken to the living quarters of resident Abbey personnel or seminarians, except in the case of family members and with permission of the person's superior.
8. Those under 21 are not to be given alcoholic beverages or tobacco. Illegal drugs are never to be used. When supervising minors, Abbey personnel and seminarians are prohibited from consuming alcoholic beverages.

9. Physical contact with minors should be limited and appropriate. Behavior that may be construed as inappropriate is prohibited. If a minor initiates physical contact, an appropriate but limited response is proper, e.g., handshake, brief embrace, hand on shoulder.
10. Physical discipline of a minor is never permitted.
11. Use of sexually explicit material or pornographic language is strictly prohibited and never appropriate for an adult or a minor.

C. APPROPRIATE AND INAPPROPRIATE DISPLAYS OF AFFECTION

1. The following are appropriate displays of affection in ministry in the presence of parents or other adults:
  - a. hugs with limited physical contact;
  - b. pats on the shoulder or back;
  - c. hand-shakes;
  - d. “high-fives” and hand slapping;
  - e. verbal praise;
  - f. arm around shoulders;
  - g. holding hands while walking with small children;
  - h. kneeling or bending down for hugs with small children;
  - i. holding or picking up children three years old and younger.
2. The following are inappropriate displays of affection in ministry:
  - a. any form of unwanted affection;
  - b. full frontal hugs or “bear hugs”;
  - c. touching bottoms [slang], chests or genital areas;
  - d. laying down or sleeping beside minors;
  - e. massages;
  - f. patting children on the thigh;
  - g. tickling or wrestling;
  - h. touching or hugging from behind;
  - i. games involving inappropriate touching;
  - j. kisses on the mouth;
  - k. showing affection in isolated areas of the facilities such as bedrooms, closets, restricted areas, or other private rooms;
  - l. compliments that relate to physique or body development.

### III. CHILD ABUSE POLICY

*[Effective September 1, 1993; Revised October 10, 2003; Revised August 31, 2005, Revised 8-8-08]*

This policy is based upon the teachings of the Catholic Church and its Canon Law in addition to concepts of civil and criminal law. Nothing in this document is intended to create or confer any additional legal or civil rights.

#### A. GENERAL PRINCIPLES

1. Child abuse is contrary to the Gospel and to all that the Catholic Church believes and professes about the dignity of human persons. Thus, it is the policy of Mount Angel Abbey that child abuse of any kind is never to be tolerated.
2. The Abbey fully subscribes to the June 2002 American Bishops' *Charter and Norms for the Protection of Children and Young People*.
3. Mount Angel Abbey recognizes that no policy in itself prevents child abuse. Strict adherence to the policy and institution wide vigilance prevent child abuse and help assure that no child is victimized.

#### B. POLICY ON CHILD ABUSE

1. The Abbey renews its commitment to provide a safe environment for minors and to assist Abbey personnel and seminarians in recognizing, reporting, and attending to the needs of abused children and their families. All Abbey personnel and seminarians shall maintain the integrity of the ministerial relationship at all times. Abusive conduct of any kind, including sexual conduct, between one who is performing duties on behalf of the Abbey and a minor, is not only criminal, it is a violation of the sixth commandment and Catholic moral teaching.
2. Persons with reasonable cause to suspect child abuse by any person acting on behalf of Mount Angel Abbey – whether monk, employee, volunteer, or seminarian – are expected to report directly to civil authorities and the Abbey's Coordinator for the Office of Child Protection. In the case of a seminarian, the President-Rector implements the policy and procedures of the program as outlined in this document in collaboration with the Coordinator of the Office of Child Protection.
3. The response of the Abbey in cases of child abuse by any of its personnel or seminarians will address the pastoral needs of the victim, the well being of the community, and the assessment and treatment of the offender. Care is to be taken that all involved are treated in a manner that is consistent with the Gospel values of compassion, understanding, and justice, as well as those standards that are normative in the wider professional community.

## C. REPORTING CHILD ABUSE

The term “child abuse” may refer to the physical abuse, neglect, sexual abuse or exploitation, mental injury, or threat of harm to a minor. Child abuse of any kind is a violation of state law. Some Church personnel (e.g., school personnel and clergy) are mandatory reporters under Oregon law and must report suspected abuse to civil authorities. (See Appendix D, 4, ORS 419B.005 and ORS 419B.010.)

### 1. Mandatory Reporting by Abbey Personnel and Seminarians

Clergy, school employees (all levels of education), and other mandatory reporters are required by law to report (or cause to be reported) suspected child abuse to the Department of Human Services (“DHS”) or to a law enforcement agency (see Appendix E for local telephone numbers for reporting child abuse). The Abbey expects all mandatory reporters to fulfill this legal obligation and to report the matter immediately to the Coordinator of the Office of Child Protection.

### 2. Voluntary Reporters

The Abbey requires its personnel and seminarians, that are not mandatory reporters under Oregon law, to voluntarily report suspected child abuse when they have reasonable grounds to do so. Such reports should be made to the Department of Human Services (“DHS”) or to a law enforcement agency and to the Coordinator for the Office of Child Protection. (See Appendix E for local telephone numbers for reporting child abuse.)

### 3. Questions on Child Abuse Reporting

Abbey personnel and seminarians are encouraged to call the Coordinator of the Office of Child Protection or the Oregon Department of Human Services Child Abuse Hotline with questions concerning the reporting of child abuse. The Oregon Department of Human Services is available for consultation as well as reporting. (See Appendix E for local telephone numbers.)

### 4. The Seal of Confession

A priest is absolutely prohibited from revealing, in words or in any manner for any reason information acquired from a sacramental confession. The sacramental seal of confession is inviolable. This confidentiality is recognized under Oregon law.

Clergy of the Abbey, or those ministering there, who have questions about child abuse reporting that involve clergy-penitent privilege should contact Fr. Paul Thomas, OSB, of the Abbey, who is a Canon Lawyer (503-845-3568).

### 5. Reporting Present Abuse

Anyone who has reasonable cause to believe that child abuse involving Abbey personnel or seminarians is a present concern is required to report the suspected

abuse directly to civil authorities. The Office of Child Protection is available to anyone who seeks advice about questions related to the reporting of abuse. (see Appendix E for local telephone numbers.)

#### 6. Reporting Past Abuse

The Abbey seeks to promote healing and reconciliation for those who have suffered child abuse by Abbey personnel. Even when the abuse is past the statute of limitations for criminal offenses, complainants are encouraged to contact the Office of Child Protection at (503) 845-3515, or by emailing *officeofchildprotection@mtangel.edu*. The Abbey will provide pastoral and other assistance when appropriate on a case-by-case basis.

### D. THE ABBEY'S RESPONSE TO CHILD ABUSE

A sacred relationship exists between the Catholic Church and all persons, whether they are children or adults. Child abuse of any kind is a matter of gravest concern. Knowledge of such abuse calls for a timely response so that the safety of the child and the community is assured and healing can begin.

1. The Coordinator of the Office of Child Protection will respond promptly to persons who contact the Abbey through the Office of Child Protection concerning child abuse. The Coordinator will receive the information and will inform the Abbot, or, in the case of a seminarian, the Abbot and the President-Rector. In the case of a complaint against a member of the monastic community, a complainant may request to meet with the Abbot and/or the Abbey's Review Board.
2. When the Abbey is informed of allegations of child abuse by any of its personnel or seminarians, the Abbey will address the needs and rights of all involved – the person alleging abuse, the accused, the Abbey, Seminary, and the larger community affected.
3. When allegations of child abuse have been made, the Coordinator will keep in contact with the individual (or the parent or guardian of a minor) and his or her family, if appropriate. Psychological counseling, pastoral care, or the assistance of an advocate for healing may be offered in the spirit of Christian justice and charity as appropriate. When the Abbey pays for counseling, the Abbey authorizes the therapist. Whenever possible, the therapist will be one who specializes in the treatment of victims of child abuse.
4. If it appears that the report concerns present abuse by any Abbey personnel or seminarians, the complainant will be encouraged to report the suspected abuse directly to civil authorities. In addition, if the allegation is subject to reporting under ORS 419B.010, the Coordinator of the Office of Child Protection will make a report to an appropriate authority under that statute. The Coordinator will inform the complainant that a report was made to civil authorities.
5. The Abbey will cooperate fully with civil authorities in their investigation of the charges. To ensure that there will be no interference or perceived interference in

the investigation by civil authorities, no further internal investigation will take place while the civil investigation is pending, except what may be required for compliance with canon law.

6. Unless civil authorities request otherwise, the accused individual also will be informed of the allegation by the Abbot and will be given every opportunity to respond to the charges. The Abbot may, at his discretion, place the person accused on paid or unpaid administrative leave depending on the circumstances and details of the accusation, and will encourage an outside professional assessment of the person accused. Should the accused be a cleric, canon law will be followed (see Appendices A and B). The person will remain on administrative leave pending the outcome of the internal and/or civil investigation. In the case of a seminarian, the President-Rector will decide the appropriate action to be taken.
7. Within the confines of respect for the privacy and the reputations of the individuals involved, the Abbey will deal as openly as possible with the larger community directly affected by the alleged ministerial misconduct with minors.

#### E. POSSIBLE OUTCOMES OF CHILD ABUSE REPORTING

The following are possible outcomes of the civil and/or internal investigation and assessment process:

1. Allegation Substantiated
  - a. If an allegation of child abuse against a member of Abbey personnel is substantiated or found credible, and the complaint is subject to reporting under Oregon law, the person accused will be subject to the sanctions of criminal and/or civil law.
  - b. If a cleric is found guilty under criminal and/or civil law of child abuse (or when it is determined that there is “a semblance of truth”), the Abbot shall also proceed according to the norms of canon law. (See Appendices A and B.)
  - c. If a non-clerical member is accused of child abuse, the Abbot may seek the advice of the Review Board and would follow the appropriate canonical procedures.
  - d. If an allegation of child abuse against non-monastic Abbey personnel is substantiated or found credible, the individual will be terminated from employment.
  - e. If an allegation of child abuse against a seminarian is substantiated or found credible, the individual will be dismissed from the seminary by the President-Rector.

2. Allegation Unsubstantiated

If an allegation of child abuse is unsubstantiated, disproved, or found not credible, the Abbot, in collaboration with the Coordinator (or in the case of a seminarian, the President-Rector), will inform the parties of the outcome of the investigation. If necessary, continued efforts will be made to maintain or restore the good name of the accused and provide for his or her well-being. If there are any future steps that can be taken to assure a return to normal relationships in the school, parish or entity involved, the Abbot will consider these steps.

3. Evidence Inconclusive

- a. If the evidence is inconclusive as to the validity of an allegation of child abuse, two factors must be considered. First, the safety and well-being of the alleged victim and the community must be carefully considered. Second, the rights of the accused must also be carefully considered.
- b. The Coordinator (or in the case of a seminarian, the President-Rector) will inform the parties of the outcome of the investigation and may make efforts to minimize the impact on the alleged victim and the community. In these cases, the Coordinator (or in the case of a seminarian, the President-Rector) may refer the alleged victim for follow-up pastoral care and psychological counseling, as appropriate.

## IV. REVIEW BOARD

### A. PURPOSE

The Review Board assists the Abbot of Mount Angel Abbey in maintaining a climate of safety and respect for all minors who participate in Abbey-sponsored programs and ministries, or who visit the Abbey. The Board's work includes reviewing pertinent policies and programs, advising on educational requirements, helping to address complaints of child abuse on the part of clerics, and recommending ways to foster healing and reconciliation where needed. The work of the Review Board adheres to the procedures outlined in the Mount Angel Abbey Program for Child Protection. In the case of a non-clerical member of Mount Angel Abbey who is accused of child abuse, the Abbot may seek the advice of the Review Board and would follow the appropriate canonical procedures.

### B. MISSION OF THE REVIEW BOARD

The Review Board assists the Abbot of Mount Angel Abbey in maintaining a climate of safety and respect for all minors who participate in Abbey-sponsored programs and ministries, or who visit the Abbey.

### C. RESPONSIBILITIES OF THE REVIEW BOARD

The Board's work includes reviewing pertinent policies and programs, advising on educational requirements, helping to address complaints of child abuse on the part of clerics, and recommending ways to foster healing and reconciliation where needed. The work of the Review Board adheres to the procedures outlined in the Mount Angel Abbey Program for Child Protection. In the case of a non-clerical member of Mount Angel Abbey who is accused of child abuse, the Abbot may seek the advice of the Review Board and would follow the appropriate canonical procedures.

The Review Board:

1. reviews the Program for Child Protection on an annual basis with a focus on the effectiveness of its implementation *in the ministries and programs sponsored by Mount Angel Abbey*;
2. reviews the work of the Office of Child Protection on an annual basis;
3. provides a safe and effective forum for hearing complaints of child abuse against clerics of Mount Angel Abbey;
4. offers advice to the Abbot on all aspects of a complaint of child abuse by a cleric of Mount Angel Abbey.

## D. PROCEDURES

### 1. Policies and Procedures

The chair schedules an annual meeting to review the Program for Child Protection, as well as the work of the Office of Child Protection.

### 2. Allegations of Current Child Abuse

If the complaints are subject to reporting under Oregon law, and this has not yet been done, the Abbey will file a report and cooperate fully with the civil and criminal authorities in their investigation. During the time of a criminal investigation, the Review Board does not enter into the process.

### 3. Allegations of Past Child Abuse

- a. After a complaint of child abuse has been made against a living cleric of the monastic community through the Office of Child Protection, and the initial interview has been completed, pastoral care for the complainant is offered. If there is no ongoing civil litigation, the Abbot determines if the allegation constitutes a reserved *delict* “with at least a semblance of truth” (see Appendix A).
- b. If the person making the complaint requests to speak to the Review Board, the Abbot may ask the chair to convene the Board for this purpose. The parameters and expectations for the meeting are provided in advance to the person making the complaint in order to keep the role of the Review Board clear. An opportunity for speaking to the Review Board is also made available to the accused under the same conditions.
- c. If the Abbot determines that the complaint does not have at least the semblance of truth, no action against the cleric is mandated. If the Abbot determines that the allegation does have at least a semblance of truth, he issues a decree opening a "preliminary investigation" (see Appendix A).
- d. Once the Abbot has received the written report on the findings of the preliminary investigation he or his delegate convenes the Review Board. The Review Board examines the report and advises the Abbot as to the proper implementation of policy and procedure, as well as a responsible course of action.
- e. Neither the complainant nor the accused have the right to inspect the acts of the preliminary investigation or to receive a copy of them.
- f. The Abbot or his delegate reconvenes the Board to report on important developments in the case and to seek additional advice as needed. The Review Board is careful to avoid any interference with civil legal processes.

#### E. MEMBERSHIP

Review Board members are chosen from the Catholic faithful for their professional competence and prudent judgment. They receive no compensation.

1. The Abbot of Mount Angel Abbey serves *ex officio*.
2. A Canon Lawyer of Mount Angel Abbey serves *ex officio*.
3. The Office of Child Protection Coordinator is a non-voting member.
4. Catholic lay men and women from the broader community are appointed by the Abbot.
5. Voting members are not agents or employees of Mount Angel Abbey.
6. The Board is advisory to the Abbot.
7. Members are indemnified through Catholic Mutual of Omaha.

#### F. TERM

1. Appointed members may serve for two consecutive three-year terms.
2. Appointments are staggered in order to provide continuity.

#### G. MEETINGS

1. Meetings are held on an ad hoc basis.
2. The designated chair convenes and presides at all meetings.
3. The chair, in collaboration with the Abbot, prepares the agenda.
4. Members are provided access to information required for the fulfillment of their responsibilities.

#### H. CONFIDENTIALITY

All information regarding persons obtained by a member of the Review Board, including written notes and other confidential materials, remains the property of Mount Angel Abbey. Such information is confidential. Each member of the Board must sign a confidentiality agreement.

Such information is also protected to the extent provided for by the priest-penitent privilege and the attorney-client privilege and other legal privileges that may exist.

## **V. OFFICE OF CHILD PROTECTION**

The Office of Child Protection promotes the Church's teaching regarding the dignity of minors, and it seeks to protect minors from any harmful behavior on the part of Abbey personnel and seminarians. The Office also helps to provide a safe and effective avenue for individuals who wish to make a complaint of child abuse against personnel of Mount Angel Abbey. The Office assists the Abbot in his efforts to welcome and respond to those who seek reconciliation and healing. The Office of Child Protection is evaluated annually by the Review Board. The Abbot appoints the Coordinator of the Office of Child Protection for an indefinite term.

The Coordinator of the Office of Child Protection:

- A. promotes Catholic moral values regarding the dignity and protection of minors through policies, procedures and resources at Mount Angel Abbey; develops and maintains resource materials and information on child abuse, as defined by the Mount Angel Abbey Child Abuse Policy, and provides materials and referral information to inquirers as requested;
- B. supervises the implementation of the Program for Child Protection and collaborates in the Review Board's annual evaluation of the Program;
- C. coordinates the accreditation processes and periodic updates required by "Instruments of Hope and Healing;"
- D. maintains all files and information related to the Standards for Accreditation required by "Instruments of Hope and Healing;"
- E. receives initial complaints against personnel of the Abbey and helps the complainant to understand what possible steps may be taken; makes referrals for assistance; informs the Abbot (in the case of a seminarian, the President-Rector) and ensures child abuse policy requirements are met, including reporting to the legal authorities;
- F. maintains a record of inquiries, complaints and follow-up by the Office of Child Protection, the Abbot, President-Rector, and other appropriate personnel;
- G. is a non-voting member of the Review Board.

## **VI. THE SAFE ENVIRONMENT PROGRAM**

### **A. PROMULGATION AND EDUCATION**

Mount Angel Abbey is committed to make every reasonable effort to communicate clearly and regularly with all Abbey personnel and seminarians regarding the goals and expectations of the Program for Child Protection. Likewise, every reasonable effort is made to keep all groups and individuals served by personnel of Mount Angel Abbey informed regarding the Program.

To these ends, the following steps are taken:

1. An orientation to the Program is given to all new Abbey personnel and seminarians at the time of hire or admittance. New personnel and seminarians are required to sign a knowledge and compliance statement.
2. Presentations on the Program are made to all Abbey personnel and seminarians every three years; each is required to sign a knowledge and compliance statement.
3. The Program is available at the Mount Angel Abbey website ([www.mountangelabbey.org](http://www.mountangelabbey.org)) and through the Office of Child Protection.
4. The Office of Child Protection disseminates information, including policies and procedures for reporting child abuse by Abbey personnel, throughout the hilltop and in parishes and chaplaincies served by Abbey personnel.
5. Collaboration is fostered with community groups, law enforcement agencies, and social services in the ongoing process of education and implementation of the Program.

### **B. COMPLIANCE**

Mount Angel Abbey is committed to insuring that the Program for Child Protection is faithfully implemented, supported and maintained by all Abbey personnel and seminarians.

The following steps help to insure the achievement of this objective:

1. The Office of Child Protection Coordinator oversees the day-to-day oversight and adherence to the Program and makes regular reports to the Abbot and an annual report to the Review Board. The Abbot and the Abbey Executive Directors are responsible for the implementation of the Program.
2. The Mount Angel Abbey Review Board receives an annual report on the Program for Child Protection and the effectiveness of its implementation.
3. Mount Angel Abbey cooperates with local law enforcement, the Oregon Division of Child & Family Services, and other agencies to insure the protection of children.

4. All Abbey personnel and seminarians are required to participate in education presentations on the Program and to sign a compliance statement.

#### C. SCREENING PROCEDURES

1. A cleric applying for or proposed for assignment at Mount Angel Abbey, including candidates applying for admittance to the monastic community, must complete an application process that conforms to the guidelines of the United States Conference of Catholic Bishops (see “D” below).
2. Testimonial letters are required of all clerics from outside the Archdiocese of Portland who are proposed as retreat masters, visiting lecturers, symposia presenters, etc., on the hill prior to the event. Those responsible are to notify the Coordinator of the Office of Child Protection who requests testimonial letters from the appropriate church authorities.
3. All Abbey personnel as defined in this policy must complete the Abbey Background Check Request and Authorization forms and undergo a criminal background check through the Abbey’s Human Resources Office. Dioceses or religious communities sponsoring seminarians at Mount Angel Seminary must provide the seminary with criminal background checks on each seminarian. Ordinarily, this screening must be completed before the beginning date of conditional employment, volunteer service or admittance to the Abbey or seminary.
4. Those applying for employment or for volunteer service positions must complete the following requirements:
  - a. application, including social security number
  - b. reference check
  - c. interview
  - d. criminal background check
5. Those seeking admittance to Mount Angel Abbey as monks follow the application process and procedures as outlined in the Mount Angel Abbey Formation Program binder.
6. Seminarians applying for admittance to Mount Angel Seminary follow the application process and procedures as outlined in the Mount Angel Seminary application booklet. Disqualifying offenses listed below determine, in part, admission or non-admission.

#### D. DISQUALIFYING OFFENSES

No one will be hired as an employee, admitted as a candidate for Mount Angel Abbey, admitted as a seminarian at Mount Angel Seminary, or accepted as a volunteer, if they have been convicted of any disqualifying offence, been on probation or received deferred adjudication for any disqualifying offence, or have pending criminal charges or civil allegations for any disqualifying offence, until a determination of guilt or innocence is made.

Disqualifying offenses include:

1. a felony classified as an offense against a person or family or involving an offense against a person or family. Examples: offenses against a person include, but are not limited to, murder, assault, sexual assault, child abuse, and abandoning or endangering a child. Offenses against a family include, but are not limited to, bigamy, incest, interference with child custody, enticing a child and harboring a runaway child;
2. a felony classified as an offense against public order or decency. Examples: offenses against public order or indecency include, but are not limited to, prostitution, obscenity, sexual performance by a child, possession or promotion of child pornography and disorderly conduct;
3. a felony violation of any law intended to control the possession or distribution of any substance included as a controlled substance in the Oregon Controlled Substance Act;
4. a misdemeanor classified such as sexual assault, indecency with a child, injury to a child, abandoning or endangering a child, sexual performance by a child, possession or promotion of child pornography, enticing a child, bigamy or incest;
5. an administrative determination by a local, city, county or state agency that a person has been found to have committed child abuse or neglect.

#### E. REVIEW

Any person who applies for employment, including admittance to the monastic community, the seminary, and volunteer service, and is not accepted or is terminated under these guidelines, may have the denial or determination reviewed as follows:

1. If non-acceptance is based on the criminal background check, the applicant shall be given the name and address of the agency reporting his or her criminal history so that there will be an opportunity to obtain a similar report from the agency. In the event that such a report is obtained by the applicant, and it is believed that an error has been made by the reporting agency or independent agent, then, upon written request, a second criminal background check may be obtained and the application reconsidered.
2. If non-acceptance is based upon the interview process, including reference checks, there is no review beyond the applicant's request for reconsideration by those making the determination. It is for the protection of minors that the judgment of those representing the Church have the final word. In cases of doubt, favor will be given to the Church and the protection of minors.

## F. CONFIDENTIALITY

As with all personnel records at Mount Angel Abbey, information obtained through the application form, reference information, interviews, criminal background check, etc., is kept confidential. Confidential materials are kept in a locked file and access is restricted to those who need to know because of work-related responsibilities. Records are retained even after the date of termination of employment or volunteer relationship.

## Appendix A

# CANONICAL PROCEDURES FOR CLERICS OF MOUNT ANGEL ABBEY

### A. RECEIPT OF A COMPLAINT AGAINST A CLERIC

Upon receiving an allegation of child abuse against a living cleric of Mount Angel Abbey, pastoral care for the alleged victim is offered through the Office of Child Protection. The Abbot is informed and if the complaint is subject to reporting under Oregon law, and this has not yet been done, the Abbey will file a report and cooperate fully with the civil and criminal authorities in their investigation. (See Office of Child Protection, Section V, D.)

If a complaint is brought forward through the civil legal system, with or without litigation, the Abbey will cooperate fully with the civil and criminal authorities in their investigation.

### B. DETERMINING CREDIBILITY

If there is no ongoing civil or criminal investigation, the Abbot determines if the allegation constitutes a reserved *delict* “with at least a semblance of truth”. To assist him in this determination, the Abbot may seek advice from members of the Review Board or others. Canonical counsel is offered to the accused and the Abbey’s civil counsel and insurer are notified<sup>1</sup>.

#### 1. If the allegation is determined *not to have at least the semblance of truth*:

- No action against the cleric is mandated (though administrative actions may be applied depending on circumstances).
- No referral to the Congregation for the Doctrine of Faith is required.
- The complainant should be informed of the outcome.
- The accused cleric, if he had been made aware of the accusation, should be informed of the outcome.

#### 2. If the allegation is determined *to have a semblance of truth*:

- The Abbot issues a decree opening a “preliminary canonical investigation”.

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<sup>1</sup> A Resource for Canonical Processes for the Resolution of Complaints of Clerical Sexual Abuse of Minors. A Resource prepared by a Task Force Convened by the Chairman of the Bishops’ Committee on Canonical Affairs of the United States Conference of Catholic Bishops. November 2003, p. 7.

### C. PRELIMINARY CANONICAL INVESTIGATION

The Abbot appoints an investigator through a decree to conduct the investigation and gather the facts in the case. The investigator presents a report in writing to the Abbot within the time limits established. The Abbot presents the findings of the investigation to the Review Board and seeks their advice. The Abbot determines the probability of whether or not a reserved *delict* has been committed as alleged and issues a decree closing the preliminary investigation. If necessary, the restrictions of canon 1722 may be applied at any point during the preliminary canonical investigation. If applied, it is done through a precept by the Abbot.

### D. POSSIBLE OUTCOMES OF THE PRELIMINARY CANONICAL INVESTIGATION

1. If the allegation is found to be false, the investigation is concluded through a decree of the Abbot, the accused cleric is notified and, where necessary, steps are taken to restore the reputation of the accused.
2. If the Abbot has determined the probability of the reserved *delict*, the accused cleric is notified of the result of the investigation. The acts of the case are forwarded to the Congregation for the Doctrine of the Faith (CDF). If the alleged abuse occurred within the canonical statute of limitations or if the alleged action took place beyond the statute of limitations and the Abbot believes the case warrants it, he may request derogation from the statute of limitations. The acts include the Abbot's *votum*, as well as his suggestion for future action. A *votum* and observations of the case by the investigator are also included with the acts of the case<sup>2</sup>.
3. The Abbot shall propose remedies for the damage resulting from the child abuse.

### E. RESPONSE OF THE CONGREGATION FOR THE DOCTRINE OF THE FAITH

Upon receiving the referral from the Abbot, the Congregation for the Doctrine of the Faith will choose one of the following:

1. reserve the case to itself because of special circumstances; or
2. notify the Abbot of its decision that the abbot should proceed with the judicial penal process; or
3. advise the Abbot that the case warrants referral to the Holy Father for a *dismissio ex officio* of the cleric concerned; or
4. authorize the Abbot to use the administrative penal extrajudicial process of canon 1720 with referral to the Congregation for the Doctrine of the Faith for dismissal by decree.

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<sup>2</sup> A Resource, p. 14.

## F. THE JUDICIAL TRIAL

Should the Congregation for the Doctrine of the Faith notify the Abbot to proceed with the judicial penal process, the Abbot arranges for a canonical trial through the regional tribunal established for this purpose. The Abbot then transfers the acts of the preliminary investigation to the promoter of justice. The penal procedure is conducted according to the Code of Canon Law<sup>3</sup>.

1. If a permanent penalty has not been applied, the Abbot can exercise his power of governance by imposing an administrative remedy “to remove the offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry.”
2. The Abbot ensures that the penalized cleric who is not dismissed has those things that are necessary for his decent support. The Abbot provides for the dismissed cleric who is truly in need.

## G. APPEALS AND RECOURSES

Because of the exclusive competence of the CDF in matters of *delicta graviora*, including the child abuse of a minor by a cleric, all appeals and recourses must be directed to the CDF, both with regard to any preliminary decisions by the CDF, as well as decisions in first instance by lower tribunals.

1. A judicial appeal against a first instance sentence in penal trials concerning *delicta graviora* is heard by the CDF Tribunal at second instance. The decision of the CDF Tribunal is final.
2. Hierarchical recourses against administrative acts of abbots and bishops concerning cases of those accused or found guilty of a *delictum gravius* are made to the CDF. A further recourse against the ensuing decision of the CDF is possible to the Ordinary Session of the CDF (*the Feria IV*). Recourse to the Apostolic Signatura has been excluded in these cases (decision of the Holy Father, 2/14/03).

## H. CARE OF THE RIGHTS OF ALL PARTIES

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

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<sup>3</sup> A Resource, P. 17.

## **Appendix B**

### **ALLEGATIONS AGAINST CLERICS NOT OF MOUNT ANGEL ABBEY**

If an allegation of child abuse is made against a cleric employed but not under the canonical authority of the Abbot of Mount Angel Abbey, the Abbot or his delegate notifies the cleric's diocesan bishop or religious ordinary. The accused cleric may be placed on administrative leave from his duties at the discretion of the Abbot, if this has not already been done by the accused's ordinary. If child abuse is admitted or established, the accused person shall be permanently removed from all ministries at Mount Angel Abbey and Seminary. Civil authorities are notified if the complaint is subject to reporting under Oregon law, and if this has not yet been done, the Abbey will file a report and cooperate fully with the civil and criminal authorities in their investigation. (See Section III, C.) The Coordinator for the Office of Child Protection will notify civil authorities.

## **Appendix C**

### **REPORTING WARNING SIGNS THAT COULD LEAD TO CHILD ABUSE**

A. The following are examples of warning signs of potential child abuse.

1. Some warning signs of preferential offenders:

- a. Finds reasons to spend time alone with minors.
- b. Prefers time with minors to time with peers.
- c. Gives gifts to minors, especially without permission.
- d. Goes overboard with physical contact with minors.
- e. Always wants to wrestle or tickle minors.
- f. Shows favoritism toward certain minors.
- g. Treats minors like equals or adults.
- h. Keeps secrets with minors.
- i. Ignores policies about interacting with minors.
- j. Breaks the rules.
- k. Uses inappropriate language with minors.
- l. Tells "off-color" jokes to minors.

2. Some warning signs of situational offenders:

- a. Excessively uses alcohol.
- b. Uses illegal drugs.
- c. Experiences anxiety or depression.
- d. Has trouble coping with loneliness.
- e. Has trouble facing rejection or disappointment.
- f. Has trouble coping with personal loss.
- g. Feels unappreciated and unrewarded for hard work.
- h. Becomes increasingly dependent on a "convenient" relationship with a minor, such as a minor who works in the house or is already involved with the individual.

B. How should monks respond to warning signs in another monk at the Abbey?

1. The concerned member should make a verbal report to the Abbot or Prior within 24 hours of observing the unhealthy boundaries or relationship of another member with a minor. If possible, the name of the person reporting will not be disclosed.
2. The Abbot and Prior will consult with each other about the issue, and will carefully consider the severity of the boundary violation.
3. The Abbot or Prior will summarize the report in written form and investigate within 24 hours.
4. A follow-up report will be written after the investigation.

*Note: If a member does not feel he can speak about the violation directly to the Abbot or Prior, he can write an anonymous note to them explaining his observation in detail.*

The Abbey will provide support and assistance to any monk of Mount Angel Abbey who discloses to the Abbot, or another superior, concerns about his own attraction to minors or boundaries with minors. Such support and assistance may include, but may not be limited to, appropriate evaluation and/or treatment.

C. How should Abbey personnel and seminarians respond to warning signs in others at the Abbey?

Seminary personnel and seminarians should respond to warning signs in other seminary personnel and seminarians by reporting these to the President-Rector. All other Abbey personnel and volunteers should report warning signs to the Office of Child Protection or the Abbot.

## **Appendix D**

### **DEFINITIONS**

The Oregon Revised Statutes mandating reporting of child abuse is ORS 419B.010. A portion of that statute is set forth below. ORS 419B.010 provides that any person making a good faith report under the statute is immune from any civil or criminal liability for making that report. Absent the narrowly defined privileges set out in ORS 40.225A0.297, failure to report under the statute is a misdemeanor criminal offense. Retaliation against any person for making such a report is also prohibited. The following is an excerpt from the statute and should be used only as a guide. Further, statutes are amended from time to time, so the current complete statute should be consulted if any questions arise.

#### **419B.005 Reporting of Child Abuse**

A. DEFINITIONS AS USED... unless the specific context requires otherwise:

1. “Child” means an unmarried person who is under 18 years of age.
2. “Minor” means a person under the age of 18 years.
3. “Abuse” means the physical abuse, neglect, sexual abuse or exploitation, mental injury, or threat of harm to a minor, such as
  - a. any assault, as defined in ORS Chapter 163, of a child and any physical injury to a child, which has been caused by other than accidental means, including any injury, which appears to be at variance with the explanation given of the injury;
  - b. any mental injury to a child, which shall include only observable and substantial impairment of the child’s mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child;
  - c. rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest, as those acts are defined in ORS Chapter 163;
  - d. sexual abuse, as defined in ORS Chapter 163;
  - e. sexual exploitation, including but not limited to:
    - 1) contribution to the sexual delinquency of a minor, as defined in ORS Chapter 163, and any other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a

child or rape of a child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes; and

- 2) allowing, permitting, encouraging or hiring a child to engage in prostitution, as defined in ORS Chapter 167.
  - f. negligent treatment or maltreatment of a child, including but not limited to failure to provide adequate food, clothing, shelter or medical care. However, any child who is under care or treatment solely by spiritual means pursuant to the religious beliefs or practices of the child or the child's parents or guardian shall not, for this reason alone, be considered a neglected or maltreated child under this section.
  - g. threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health or welfare.
4. A "Mandatory Reporter", under Oregon law is:
- a. physician, including any intern or resident;
  - b. dentist;
  - c. school employee; [kindergarten - higher education]
  - d. licensed practical nurse or registered nurse;
  - e. employee of the Department of Human Resources, county health department, community mental health and developmental disabilities program, a county juvenile department, a licensed child-caring agency or an alcohol and drug treatment program;
  - f. peace officer;
  - g. psychologist;
  - h. clergyman;
  - i. licensed clinical social worker;
  - j. optometrist;
  - k. chiropractor;
  - l. certified provider of day care, foster care, or an employee thereof;
  - m. attorney;
  - n. naturopathic physician;
  - o. licensed professional counselor;
  - p. licensed marriage and family therapist;
  - q. firefighters and emergency medical technicians
5. "Law enforcement agency" means:
- a. any city or municipal police department;
  - b. any county sheriff's office;
  - c. the Oregon State Police;
  - d. the county juvenile department

## B. OTHER DEFINITIONS

For purposes of this policy statement, the following terms have the meaning indicated:

1. **Abbot:** the Abbot of Mount Angel Abbey. For purposes of this document, references to the Abbot assume that in his absence the Prior of the monastery has the necessary authority.
2. **Abbey:** Mount Angel Abbey as a corporate entity includes but is not limited to the Monastery, Mount Angel Seminary, the Abbey Library and the Retreat House.
3. **Abbey personnel** includes the following categories:
  - a. all monks in solemn profession, temporary profession, novitiate, and postulancy of Mount Angel Abbey;
  - b. all priests, deacons, and religious of other jurisdictions employed by Mount Angel Abbey or residing at Mount Angel Abbey and seminary for more than one month;
  - c. all seminary faculty, staff and administrators;
  - d. all paid personnel of Mount Angel Abbey;
  - e. all volunteers.
4. **President-Rector:** the CEO of Mount Angel Seminary. The President-Rector is responsible for implementing the Program for Child Protection as it applies to seminarians. He works in collaboration with the Office of Child Protection when an allegation of child abuse is received against a seminarian.
5. **Seminarians:** those students who have been admitted to Mount Angel Seminary and are affiliated with a sponsoring (arch)diocese or religious community.
6. **Coordinator of the Office of Child Protection:** an individual designated by the Abbot to receive and coordinate the handling of allegations of child abuse by Abbey personnel and seminarians.
7. **Semblance of Truth:** an allegation that has been made is credible but not yet proven. A canonical investigation of an alleged crime should be implemented when the allegation appears “realistic” that the delict took place.

## **Appendix E**

### **RESOURCES**

Further information about the following list of resources is available by contacting:

#### **OFFICE OF CHILD PROTECTION**

Coordinator: 503-845-3515  
E-mail: [officeofchildprotection@mtangel.edu](mailto:officeofchildprotection@mtangel.edu)  
Mount Angel Abbey  
One Abbey Drive  
Saint Benedict, Oregon 97373

#### **ARCHDIOCESE OF PORTLAND IN OREGON**

[www.archdpdx.org](http://www.archdpdx.org)

#### **UNITED STATES CONFERENCE OF CATHOLIC BISHOPS**

[www.usccb.org/ocyp](http://www.usccb.org/ocyp)

#### **CHARTER FOR THE PROTECTION OF CHILDREN**

[www.usccb.org/ocyp/charter.shtml](http://www.usccb.org/ocyp/charter.shtml)

#### **PRAESIDIUM, INC.**

(View Praesidium's Free quarterly Safety Bulletins)  
[info@PraesidiumInc.com](mailto:info@PraesidiumInc.com)

#### **SEX OFFENDER REGISTRY**

##### **US DEPARTMENT OF JUSTICE**

[www.nsopr.gov](http://www.nsopr.gov)

##### **STATE OF OREGON**

<http://sexoffenders.oregon.gov>

##### **MARION COUNTY SHERRIF'S OFFICE**

[www.co.marion.or.us/SO/sexoffenderinfo.htm](http://www.co.marion.or.us/SO/sexoffenderinfo.htm)

#### **CHILD ABUSE PREVENTION**

##### **PREVENT CHILD ABUSE AMERICA**

[www.preventchildabuse.org](http://www.preventchildabuse.org)

##### **CHILDHELP**

[www.childhelp.org](http://www.childhelp.org)

##### **OREGON DEPARTMENT OF HUMAN SERVICES**

[www.oregon.gov/DHS/children/abuse](http://www.oregon.gov/DHS/children/abuse)

##### **CHILD ABUSE AND NEGLECT REPORTING NUMBERS**

[www.oregon.gov/DHS/children/abuse/cps/cw\\_branches.shtml](http://www.oregon.gov/DHS/children/abuse/cps/cw_branches.shtml)

##### **CDC: PREVENTING CHILD SEXUAL ABUSE WITHIN YOUTH-SERVING ORGANIZATIONS**

[www.cdc.gov/ncipc/dvp/PreventingChildAbuse.htm](http://www.cdc.gov/ncipc/dvp/PreventingChildAbuse.htm)

## **INTERNET SAFETY**

**FBI: A PARENT'S GUIDE TO INTERNET SAFETY**

[www.fbi.gov/publications/pguide/pguidee.htm](http://www.fbi.gov/publications/pguide/pguidee.htm)

## **COMMUNITY ORGANIZATIONS**

**OREGON SEXUAL ASSAULT TASK FORCE**

[www.oregonsatf.org/victimservices.html](http://www.oregonsatf.org/victimservices.html)

**NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN**

[www.missingkids.com](http://www.missingkids.com)

**CHILDREN'S RESPONSE CENTER**

[www.childrensresponsecenter.org](http://www.childrensresponsecenter.org)

**CONFERENCE OF MAJOR SUPERIORS OF MEN**

[www.cmsm.org](http://www.cmsm.org)