

## HISTORICAL AND CURRENT OVERVIEW OF CLERGY SEXUAL ABUSE OF MINORS

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Dr. Monica Applewhite, one of the leading experts on screening, monitoring and policy development for the prevention of sexual abuse, has studied the development of organizational standards of care for prevention and response to child sexual abuse. She reports that, until the mid-1970s, the belief was that child sexual abuse was rare. In the 1980s, professionals began to acknowledge how common child sexual abuse was and that it was a significant problem.

Even after realizing sexual abuse of a minor was more prevalent, including by clergy, it was only in the 1990s that professionals began to recognize the long-term effect of sexual abuse on victims.

From 1985 to 1995, most major religious organizations established policies on sexual misconduct that included codes of ethics, policies on reporting and procedures for responding to sexual abuse by ministers.

On a national level, in June 1992, the U.S. Conference of Catholic Bishops adopted its five principles to follow in dealing with accusations of sexual abuse, and, the following year, formalized an Ad Hoc Committee of the Bishops' Conference on Sexual Abuse. This Committee continued to produce materials for dioceses to implement as ways of responsibly addressing this issue.

Acknowledging the issue of clergy sexual abuse of minors in the Archdiocese of Milwaukee in the late 1980s, the archdiocese developed a process for receiving and responding to reports of sexual abuse of minors by clergy and assigned a staff person to direct this process. In 1989, the archdiocese established Project Benjamin. Project Benjamin was an initiative that brought together victims' advocates, healthcare professionals, judicial and law enforcement representatives and clinical social workers and therapists to assist in the Church's response to victims/survivors and to offer recommendations about appropriate policies and procedures. The emphasis of Project Benjamin was on healing. In its initial years, Project Benjamin responded to nearly 70 individual victims/survivors. The Archdiocese also implemented the use of criminal background checks for anyone whose employment would bring them into regular contact with minors. A Code of Ethical Standards for Church Leaders was implemented in 1994 and became the model for such codes elsewhere. Over the years this code has been updated and revised or reprinted eight times.

Providing therapy was another aspect of response to this issue; ensuring therapy was beneficial to the individual was another. A panel of external professional experts was established to provide an assessment of the professional quality of the therapy being received and to approve treatment plans for financial reimbursement from the archdiocese.

Project Benjamin became a model for many dioceses across the country and a national meeting for victims/survivors was held in Milwaukee, which included a major healing service at the Cathedral of St. John the Evangelist, which drew hundreds of participants.

Additionally, days of reflection were held at different points around the archdiocese and a retreat day was scheduled specifically for the deaf community to address revelations about Father Lawrence Murphy.

In the early 1990s, retired Milwaukee Judge Leander Foley, led a review of all known priest-offender files to determine if any cases fell within the criminal statute of limitations and should be referred to civil authorities or, if a criminal referral was not possible, to ensure appropriate action had been taken to avoid risk of further offenses.

Because most abuse reports were reports of abuse happening many years in the past, the priest-perpetrator was not able to be prosecuted. In these instances, an internal determination was made that if the criminal statute of limitations had passed, no report was made to law enforcement authorities. Allegations of abuse where the victim was still a minor were immediately turned over to civil authorities. The focus was on outreach and healing for victims/survivors, including the provision of therapy to individuals. [Today, all reports about a priest who is still alive are sent to civil authorities.]

Treatment of perpetrators has also varied over time as the information and study of child sexual abuse progressed. Clergy, bishops, as well as medical professionals, treated sexual abuse as a moral failing. Such a moral failing was treated with intense retreat, prayer, spiritual direction and a penitential approach. In addition, the psychological professions offered treatment thinking the behaviors and underlying causes could be changed.

With the onset of Project Benjamin, a more consistent response was implemented regarding priest-perpetrators. Usually that response consisted of immediate removal or leave from the current pastoral assignment; prohibition of any ministry; removal of priestly faculties; spiritual direction or counseling; and clinical therapy. With the recommendations of therapists, medical professionals and sometimes civil authorities, another pastoral assignment could only be considered and sometimes given according to a set of determined criteria, including professional assessment of risk. Monitoring protocols began to be put in place, regardless of whether or not an assignment was given.

In the 1990s, imposing partial or full restrictions on ministry for priests with past incidents of sexual abuse of a minor became more of the standard practice. At the onset of 2002, the Archdiocese of Milwaukee had six priests with past allegations of sexual abuse of a minor in active ministry.

In spring 2002, the Eisenberg Commission was appointed to review all policies and protocols regarding the handling of clergy sexual abuse reports. In addition, the commission was asked to review the background, reports, and circumstances of the six priests who remained in ministry and make recommendations regarding their future service. The external commission was initially led by the dean of the Marquette University Law School, Howard Eisenberg.

In June of 2002, the U.S. Bishops adopted the Charter for the Protection of Children and Young People. The Charter adopted a “one strike” policy with regard to priests serving in any active, public ministry, and also included:

- Permanent removal from active ministry of any priest with a substantiated allegation of sexual abuse of a minor;
- Required criminal background checks for adults, including clergy, who work with children and youth;
- Implementation of educational programs for the prevention of child sexual abuse for both adults and children;
- Behavioral guidelines/Ethical standards for ministry;
- Outreach for victims/survivors;
- Review boards to oversee policy implementation and to assess allegations of abuse and make recommendations about fitness for ministry.

Based upon the Charter, the six men in active ministry in the Archdiocese of Milwaukee were publicly identified and removed from ministry, prior to the installation of Archbishop Dolan as Archbishop of Milwaukee in August 2002. Therefore, assessment about suitability for ministry of these six priests was no longer the work of the commission. The remaining policy recommendations of the Eisenberg Commission were accepted and implemented by Archbishop Dolan in fall of 2002 and are posted on the archdiocesan Web site. They became the cornerstone for additional policies and procedures as they were developed.

Each diocese in the United States is subject to an annual review of compliance with the articles of the Charter by an outside, independent audit agency. The Archdiocese of Milwaukee has participated in these audits for each of the eight years of the audit program and has received exemplary reports from the audit agency. Dioceses have the option of selecting a streamlined audit process without an on-site audit team two out of three years; the Archdiocese of Milwaukee has chosen to have a full audit with an on-site team each year. In addition, the archdiocese has not only permitted but encouraged that the auditors make site visits to parishes and schools to monitor compliance.

In 2002, civil authorities reviewed archdiocesan files to verify that there were no prosecutable criminal cases falling within the criminal statute of limitations.

In 2002, with adjustments in canon (Church) law having been made, the archdiocese began submitting all known cases of sexual abuse of minors by diocesan clergy (still alive) to the Vatican Congregation for the Doctrine of the Faith.

In 2004, the Archdiocese of Milwaukee supported Wisconsin State legislation expanding responsibilities for mandatory reporters of child sexual abuse and extending future criminal and civil statute of limitations for victims/survivors to seek action in both criminal and civil courts.

In 2004, Archbishop Timothy Dolan directed a complete review by an outside forensic audit team of every diocesan priest’s file to make sure no allegations of clergy sexual abuse of a minor went undiscovered or unreported.

On July 9, 2004, Archbishop Dolan, published the names of diocesan priests of the Archdiocese of Milwaukee who have been (or would be if they were still alive) restricted from all priestly ministries, who may not celebrate the sacraments publicly, or present themselves as priests in any way because of substantiated allegations of sexual abuse of a minor. In addition, in accordance with the canonical norms that have been established, the allegations against any living priest continue to be sent to the Congregation for the Doctrine of the Faith .

One thing we have learned is how thinking has evolved regarding how cases were handled in society from the 1970s, 1980s, and 1990s, to today, and how the issue of sexual abuse of a minor was handled by law enforcement officials; by therapists and health professionals; and by Church officials.

Today, we understand more about child sexual abuse and how to deal with it. Today, any report of sexual abuse of a minor is immediately referred to civil authorities if the accused is still alive and the priest or deacon is immediately removed from ministry when the archdiocese is given clearance to do so by civil authorities.

In a recent research report, Dr. Applewhite makes the following conclusion: “In examining allegations of sexual abuse and how they were handled in the past, there is a temptation to apply our current standards and knowledge to judge decisions and actions that were taken long ago.”

The archdiocese has learned that making judgments about past actions and decisions based upon what we know about sexual abuse today, is imperfect.

Since 2002, the Archdiocese of Milwaukee has increased its outreach initiatives to include items required under Charter, but also items well beyond what is required. This continues the spirit of Project Benjamin to focus on healing for those who have been harmed. The Catholic Church has done more to protect children than almost any other organization in the United States. In the archdiocese, these are some of the steps taken:

- A full time Victim Assistance Coordinator implements the archdiocesan response to sexual abuse through the Sexual Abuse Prevention and Response Services office.
- Counseling referrals, spiritual direction, therapy support and other services are provided to assist people who have been abused or affected by abuse. In fiscal year 2009-2010, \$882,129 was spent on therapy for the victims of clergy sexual abuse.
- Archbishop ListECKI, Bishop Sklba, and, previously, Bishop Callahan and Archbishop Dolan, have all met with individuals who have suffered or been affected by sexual abuse by clergy.
- A full-time Archdiocesan Safe Environment Coordinator oversees mandatory Safe Environment education for all priests, deacons, staff and volunteers in all parishes and schools
- Two days of listening sessions for victims/survivors and families at the Midwest Airlines Center were held in October 2002
- Town hall meetings were conducted at various parish sites in 2002

- Age-appropriate education for school and religious education children to equip them with the skills to help them protect themselves from abuse has been developed.
- National and state criminal background checks are conducted on Church personnel and volunteers who work with children.
- The Code of Ethical Standards for Church Leaders must be read and signed by all Church personnel.
- A Community Advisory Board reviews and improves the response of the archdiocese to those who have experienced or been affected by sexual abuse by Church personnel.
- Local Safe Environment Coordinators are in place throughout the archdiocese to assure the ongoing compliance to the Charter for the Protection of Children and Young People.
- Over the years, there have been healing services, Masses and other forms of reconciliation events for victim/survivors in the archdiocese.
- Intensive background screening as well as psychological testing is required for those wishing to enter the seminary.
- Establishment of a Diocesan Review Board, chaired by former Lt. Governor Margaret Farrow.