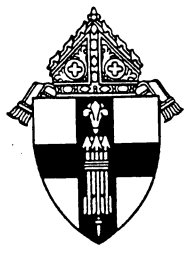




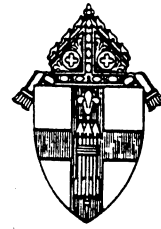
***Protecting God's Children***  
*Responsible Relationships in Ministry*

Policy on Sexual Misconduct - Diocese of Manchester

*Protecting God's Children  
Responsible Relationships in Ministry*



Participant's  
Folder w/ all  
handouts.



*Protecting God's Children*  
*Responsible Relationships in Ministry*

Ministry entails service to others; it involves relationships. Our relationships with God and one another define who we are, the Body of Christ.

Relationships in ministry are our richest heritage; we share our hopes and dreams as well as our sorrows and anguish with one another. We relate with one another as servants of the Gospel. We are respectful of the people whom we are called to love and serve.

In view of the fact that we encounter Christ in the people we serve, our relationships in ministry take on special importance. To this end, we recognize the need for a process to address relationships that are not consistent with our mission as Church and that offend human dignity.

Preventing child sexual abuse begins with each person being willing to raise his or her own awareness about the nature and scope of child sexual abuse in society, in the community, in the neighborhood, and in the family.

“People have the right to be free from sexual harassment and misconduct. No one in the service of the Church should subject anyone else to sexual misconduct. Sexual misconduct has a devastating impact on victims, and the Diocese of Manchester is committed to preventing and eliminating such misconduct. The Bishop’s Delegate for Sexual Misconduct will develop and maintain a process to assure that all who minister and all to whom the Church ministers will receive clear communications on the Diocesan Policy on Sexual Misconduct.”

**What to Do If You Suspect Abuse or  
Neglect of a Child in NH**

**State Law**

New Hampshire law requires that any person having reason to suspect that a child has been abused or neglected shall report to the *Division of Children, Youth and Families* (DCYF) of the State of New Hampshire.

An "abused child" is any child who has been sexually abused, physically injured or psychologically injured so that the child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect. A child means anyone who has not reached his/her eighteenth (18<sup>th</sup>) birthday.

Report to  
State of New Hampshire  
Division of Children, Youth & Families  
(800) 894-5533

**What to Do if You Suspect Abuse of a  
Child by Church Personnel in NH**

**Diocesan Policy**

In addition to contacting State authorities, if you suspect abuse by a priest, deacon, member of religious institute, employee or volunteer of the Diocese of Manchester

Report to  
Delegate of the Bishop of Manchester  
Diocese of Manchester  
(603) 669-3100

**What to Do If You Need to Talk  
With Someone in NH**

If you need to talk with someone about child abuse in the Church,

Contact  
New Hampshire Catholic Charities  
Consultation and Counseling Services  
1-800-475-5585

## MANDATORY REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT TO CIVIL AUTHORITY

New Hampshire law requires that “any physician, surgeon, county medical examiner, psychiatrist, resident, intern, dentist, osteopath, optometrist, chiropractor, psychologist, therapist, registered nurse, hospital personnel, Christian Science practitioner, teacher, school official, school nurse, school counselor, social worker, day care worker, any other child or foster care worker, law enforcement official, priest, minister or rabbi, or any other person having reason to suspect that a child has been abused or neglected shall report”<sup>1</sup> to the *Division for Children, Youth and Families* (DCYF) of the State of New Hampshire.

An “abused child” means any child who has been sexually abused, physically injured or psychologically injured so that the child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect. A child means anyone who has not reached his/her eighteenth (18<sup>th</sup>) birthday.

The mandatory reporting law is a *child protection statute*. If someone **suspects** that a minor has been abused or neglected, even if they don't know by whom, **a report is required**. A suspicion that a child was once abused but the abuse is no longer occurring still requires a report to DCYF.

However, if an adult reports that s/he was abused as a child, a report to DCYF is not required by law. In this instance there is no one in danger at the present time. However, this does not mean that addressing the situation should be discouraged, but only points out that a report to DCYF is not required.

Anyone participating in good faith by making a report is immune from any civil or criminal liability. NH state law allows for **no privileged communications** *except* that between attorney and client. Notwithstanding this state law, the First Amendment to the U.S. Constitution protects information obtained in the confessional as part of the *Sacrament of Penance*. **Under no circumstances is the sacramental seal of confession to be violated (c. 983, CIC).**

All priests, deacons, members of a religious institute, employees and volunteers in New Hampshire are **required to report** (except as noted above in the context of the *Sacrament of Penance*) suspected child abuse and must be aware of this requirement when entering into counseling or other conversations with minors or with adults discussing minors. Reports should be made to:

NH State Division for Children, Youth and Families  
(800) 894-5533

When making a report, if known, give the name and address of the child suspected of being neglected or abused, the person responsible for the child's welfare and specific information indicating neglect or the nature/extent of the child's injuries. If known, identify the person suspected of being responsible for the abuse/neglect and any other information that may be helpful in establishing neglect or abuse by DCYF.

Information involving suspected or known abuse of a child by a priest, deacon, members of religious institute, employee or volunteer of the Diocese of Manchester also must be reported to the Delegate of the Bishop of Manchester (cf. Diocesan Policy on Sexual Misconduct IV, A).

Diocese of Manchester  
(603) 669-3100

# PROTECTING GOD'S CHILDREN

9591

## SEMINAR CURRICULUM / SATURDAY

- 9:00 – 10:00 Registration with Continental Breakfast
- 10:00 – 10:40 Introductions and Opening Remarks  
Definitions of Sexual Misconduct
- 10:40 – 11:20 *A Time to Protect God's Children*  
◆ View video  
◆ Guided Discussion
- 11:20 – 12:00 *A Plan to Protect God's Children*  
◆ View video
- 12:00 – 1:00 Lunch
- 1:00 – 1:30 *A Plan to Protect God's Children*  
◆ Review of the Five Steps  
1. Know the Warning Signs  
2. Control Access  
3. Monitor All Programs  
4. Be Aware  
5. Communicate Your Concerns Questions and Answers
- 1:30 – 2:00 *Communicate Your Concerns*  
◆ NH Mandatory Reporting Requirements  
◆ The Pastoral Response of the Church  
1. Procedures for the Delegate of the Bishop  
2. Procedures for Pastors
- 2:00 – 2:30 *Protecting God's Children – Practical Steps for You to Follow*  
◆ Guidelines for Expressing Affection  
◆ How to Respond to a Child Disclosing Abuse  
◆ What Would You Do?
- 2:30 - 2:45 Where Do We Go From Here? The Next Step
- 2:45 – 3:00 Attendance Verification, Program Evaluation and Wrap-Up

## **Discussion of a Time to Protect God's Children**

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### **What were the effects of abuse? The child ...**

- Felt dirty
- Felt ashamed
- Felt used
- Was confused
- Felt guilty and blamed themselves
- Experienced problems in relationships with others
- Had problems with drugs and/or alcohol
- Considered suicide

### **What kept the children from telling about the abuse?**

- The person was an adult
- The person was trusted
- The person was in a position of power or trust
- Fear they would not be believed
- Received attention, affection, nurturing that was not being received from others
- Felt pleasure in the special attention
- Felt pleasure in being treated as an adult
- Felt they had no one to tell
- Did not realize they were being abused

### **What methods did the perpetrators use to gain access to children?**

- Gained trust of parents
- Gained trust of children
- Used their own children
- Were in a trusted role with children
- Had a job that involves children
- Worked in a church association
- Acted like their "buddy"
- Acted like "another kid" with them

## **Step 1. Know the Warning Signs**

---

**Know the warning signs that an adult may wish to perpetrate abuse.**

**Pay attention to an adult who...**

- Always finds reasons to spend time alone with children or youth
- Prefers time and friendships with children or youth more than with adults
- Gives special gifts to children or youth, especially without permission
- Goes overboard with touching children or youth
- Always wants to wrestle and tickle with children or youth
- Bends rules for certain children or youth
- Allows children to engage in activities their parents would not allow
- Has “favorite” or preferred children or youth
- Favors children or youth with certain physical characteristics
- Prefers to be with children who are particularly vulnerable
- Treats children or youth as if they were adults
- Discourages other adults from participating or monitoring
- Wants to keep secrets with children or youth
- Ignores standard policies about interacting with children or youth
- Seems to think the rules do not apply to them
- Uses inappropriate language or swearing with children or youth
- Tells “off color” jokes to children or youth
- Introduces pornography to children or youth
- Seems to have an “obsession” with children or youth



## **Step 2. Control Access**

---

**Control who has access to the children in your programs.**

**What steps can we take to control access?**

- Use written, standard applications
- Check references
- Check previous employment
- Obtain criminal background checks
- Interview face to face
- Communicate your commitment to a safe environment

### **Step 3. Monitor All Programs**

**Monitor all parish or school programs that involve children or vulnerable adults.**

**What steps can we take to monitor programs?**

- Identify and restrict access to secluded areas
- Look doors to unused rooms
- Meet with children in a place where others can walk by and see in
- Do spot checks
- Encourage parents to drop in and participate in monitoring
- Require prior approval before any new programs are started
- Require the involvement of more than one adult in running or supervising all programs

### **Step 4. Be Aware**

**Be aware of what is going on in the lives of children in your care.**

#### **Warning signs that a child may be in danger**

- A sudden change in behavior
- May become moody or aggressive
- May lose interest in school
- Grades may drop
- May stop taking care of personal hygiene
- Does not enjoy people s/he used to like
- Complains about activities that s/he used to enjoy
- Does not want to spend time alone with a particular adult
- Sleeplessness

## Step 5. Communicate Your Concerns

Communicate your concerns with appropriate adults when you see situations that look suspicious or inappropriate.

### What Steps Can We Take to Communicate Concerns?

- Report to the supervisor
- Report to the pastor of the parish
- Report to the principal of the school
- Report to the Bishop's Delegate for Sexual Misconduct
- Write a verifiable letter of concern

#### Remember:

If you suspect or know about abuse and know the identity of the child, you are legally obligated to report it to State authorities or local police.

### Reports to the Diocese of Manchester

1. Report sexual misconduct by a priest, deacon, member of a religious institute, employee, or volunteer of the Diocese of Manchester to the Bishop's Delegate for Sexual Misconduct either by telephone at 603-669-3100 or by mail to the Diocesan Administration Building, PO Box 310, Manchester, NH 03105-0320.
2. Write a verifiable letter of concern to the Delegate of the Bishop.
3. Call the Delegate of the Bishop at (603) 669-3100.
4. Report student-student harassment in a Diocesan Catholic school to the Principal or Complaint Manager. Student-student harassment occurring in a religious education program should be reported to the Director of Religious Education and pastor.
5. Allegations of sexual abuse of a child must also be reported to the *Division of Children, Youth and Families* (DCYF) of the State of New Hampshire at 1-800-894-5533.

# Guidelines for Expressing Affection in Pastoral Ministry

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## Appropriate ways to express affection

- Side hugs.
- Shoulder to shoulder hugs.
- Pats on the shoulder or back.
- Hand-shakes.
- “High-fives” and hand slapping.
- Verbal praise.
- Touching hands, faces, shoulders and arms of minors.
- Arms around shoulders.
- Holding hands while walking with small children.
- Sitting beside small children.
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer.
- Pats on the head when culturally appropriate. For example, this gesture should typically be avoided in Thai or Vietnamese communities.

## Inappropriate ways to express affection

- Inappropriate embraces.
- Kisses on the mouth.
- Holding minors over two years old on the lap.
- Touching bottoms, chests or genital areas.
- Showing affection in isolated areas such as bedrooms, closets, staff-only areas or other private rooms.
- Sleeping in bed with a child.
- Touching knees or legs of minors.
- Wrestling with minors.
- Tickling minors.
- Piggyback rides.
- Any type of massage given by a minor to an adult.
- Any type of massage given by an adult to a minor.
- Any form of unwanted affection.
- Compliments that relate to physique or body development.

## How to Respond To a Child Disclosing Abuse

1. Listen.
2. Tell the child he or she was right to disclose.
3. Avoid expressing shock or outrage.
4. Let the child know you believe him or her.
5. Don't threaten or condemn the alleged perpetrator.
6. Assure the child the abuse was not his or her fault.
7. Be sensitive to vague disclosures.
8. Avoid questions that could make the child feel responsible.
9. Get as many details as the child is comfortable disclosing.
10. Do not promise to keep the abuse a secret.
11. Later, write down exactly what the child said.
12. Follow reporting requirements.

## Activity: What would you do in this situation?

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Situation 1. You are a basketball coach for a team of boys aged 10 through 12. One evening you enter the locker room and see another coach drying the shoulders of a player from your team. There are other players in the locker room, but none in the area where they are standing.

Which of the Five Steps addresses this situation? What are your concerns? \_\_\_\_\_

\_\_\_\_\_

What would you say or do? \_\_\_\_\_

\_\_\_\_\_

Situation 2. You work in a religious education program. A friend of yours who has taught at your parish for many years teaches across the hall from you. One Sunday, you hear her voice getting loud so you look in the door. She is standing over a ten-year old boy and speaking loudly into his face. You know the boy is a troublemaker and you can tell your friend is pretty upset. You also know that your friend loves children and would never do anything harmful to them.

Which of the Five Steps addresses this situation? What are your concerns? \_\_\_\_\_

\_\_\_\_\_

What would you say or do? \_\_\_\_\_

\_\_\_\_\_

Situation 3. Your parish has a rule that no one under the age of 18 can work with children. The woman who runs the nursery has been employed by the parish for several years and is very reliable and trustworthy with the children. Her 17 year-old son, Tony, also works for the parish, doing lawn maintenance such as mowing the grass, trimming the hedges and weeding the flowerbeds. The children who stay in the nursery enjoy helping Tony with the lawn work and helping him take the tools back into the shed when the work is finished.

Which of the Five Steps addresses this situation? What are your concerns? \_\_\_\_\_

\_\_\_\_\_

What would you say or do? \_\_\_\_\_

\_\_\_\_\_

Situation 4. You work in the parish childcare program with children ages 4 through 6. A four year-old in your program is normally well behaved but occasionally she touches other youth on the bottom or genital areas outside their clothes. At times she tries to put other youth's hands on her genital areas. Sometimes she pulls the hands of staff toward her genital area.

Which of the Five Steps is being address? What are your concerns? \_\_\_\_\_

\_\_\_\_\_

What would you say or do? \_\_\_\_\_

\_\_\_\_\_

Situation 5. Your parish has a new youth minister. He seems to have boundless energy and quickly develops a reputation for "having a way" with the kids. Within six months the youth group has doubled and your own teenage children are attending programs for the first time in three years. One day you get a call from the youth minister who wants to take a group of boys on an outing to the local water park. He wants to take them on a Friday since the park is very crowded on the weekends. It would mean your son missing a half-day of school.

Which of the Five Steps is being addressed? What are your concerns? \_\_\_\_\_

\_\_\_\_\_

What would you say or do? \_\_\_\_\_

\_\_\_\_\_

Situation 6. You are a volunteer in a program for homeless youth. One evening when you are serving meals to the youth, you overhear another volunteer inviting two sixteen-year-old girls to stay with him until they can find a decent place to live. You know the volunteer is married with two small children of his own.

Which of the Five Steps may be being violated? What are your concerns? \_\_\_\_\_

\_\_\_\_\_

What would you say or do? \_\_\_\_\_

\_\_\_\_\_



## PROFESSIONAL BOUNDARIES AND BOUNDARY VIOLATIONS

“I need my space” is a common expression now, but what exactly does it mean? Does this idea of “space” have relevance to our responsible relationships in ministry? The simple answer is a resounding “YES.” As people involved in ministry, we have a responsibility to respect the boundaries that exist in our relationships. When someone oversteps these boundaries or invades someone else’s space, we call that a boundary violation.

Webster’s dictionary defines a boundary as “any line or thing marking a limit.” In our relationships, boundaries are the interpersonal limits we place between ourselves and those to whom we minister. We must identify the limits and then make sure that those boundaries are clear to those to whom we minister. We must not violate the boundaries nor should we allow others to do so either. Changing the relationship or forming additional bonds, feelings, or needs can blur the boundaries and cause confusion. It is not uncommon for us to experience a myriad of emotion when dealing with people. These can be feelings of warmth, care, concern, compassion, anger, jealousy, and sexual attraction. Acting on these emotions is a violation of the boundaries.

Our relationships have different kinds of limits and boundary violations can fall into several categories. Violating a role boundary occurs when a person fails to stay within his or her given role whether as a teacher, counselor, youth minister, or pastor. Time boundaries can occur when meetings are held at unusual hours of the day or are scheduled at a time so only a limited number of the members can attend. Being with others in locations that are secluded or off-limits to most people is a violation of place and space boundaries. Sometimes, in an effort to be empathetic, we share personal facts about our own lives, intimate details that are inappropriate. This violates self-disclosure boundaries.

Violation of physical contact boundaries is very serious and can take several forms. Inappropriate touching in a sexual way is most serious and will result in removal from ministry. Another kind of physical contact – physical abuse – is equally serious and will not be tolerated.

Sexual exploitation, defined in the Diocesan Policy on Sexual Misconduct as ‘sexual contact between an adult person and a person receiving pastoral care,’ is one of three kinds of sexual misconduct. An abuse of power or authority — a violation of the role boundary — is always an ingredient in sexual exploitation.

One means to avoid boundary violations is to follow the ‘Public, but Private’ rule. When interacting one-on-one with any child or vulnerable adult, address the person in a public setting or in an area where you can be seen. This can be done away from crowds so that the conversation remains private.

## **Warning Signs of Boundary Violations**

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**Pay attention if you often.....**

1. Have difficulty setting limits with someone
2. Spend a disproportionate amount of time with one person
3. Spend your free time with one person
4. Meet with one person outside of usual meeting time
5. Show favoritism to one person over others in your care
6. Seek to meet one-on-one with a person
7. Meet in non-public areas with one person
8. Believe that only you understand the person
9. Share secrets with the person and fail to advise others who should be told
10. Become overly protective of the person
11. Believe that others are too critical of the person
12. Become defensive when questioned about your behavior
13. Give special or inappropriate gifts to the person
14. Receive special or inappropriate gifts from the person
15. Feel jealous of relationships the person shares with others

# Protecting God's Children Workshop Evaluation

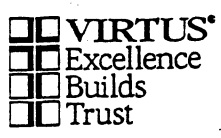
*Please take your time in answering the following questions. Your feedback is truly appreciated!*

<b>Participant Category</b> (Check all that apply)	<input type="checkbox"/> Business manager <input type="checkbox"/> Counselor <input type="checkbox"/> Deacon <input type="checkbox"/> DRE <input type="checkbox"/> Pastor <input type="checkbox"/> Priest <input type="checkbox"/> Other (please specify) _____	<input type="checkbox"/> Principal <input type="checkbox"/> Teacher <input type="checkbox"/> Religious <input type="checkbox"/> Seminarian <input type="checkbox"/> Volunteer <input type="checkbox"/> Youth minister
<input type="checkbox"/> Male <input type="checkbox"/> Female		


<b>Ministry or Program</b> (Check all that apply)	<input type="checkbox"/> Religious Education <input type="checkbox"/> Child Care <input type="checkbox"/> CYO <input type="checkbox"/> Campus Ministry <input type="checkbox"/> Music <input type="checkbox"/> Diocesan Admin. <input type="checkbox"/> Other (please specify) _____	<input type="checkbox"/> Pastoral Ministry <input type="checkbox"/> School <input type="checkbox"/> Scouting <input type="checkbox"/> Sports <input type="checkbox"/> Youth Camp <input type="checkbox"/> Parish Nursery
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1. As a result of this workshop, I am better able to	No	Somewhat			Yes
⊕ Identify potential perpetrators of sexual abuse.	1	2	3	4	5
⊕ Identify children or youth who may have been abused.	1	2	3	4	5
⊕ Understand how perpetrators of abuse gain access to children and youth.	1	2	3	4	5
⊕ Understand why children may not reveal abuse to others.	1	2	3	4	5
⊕ Interact with children and youth in a way that is safe and comfortable for me.	1	2	3	4	5
⊕ Protect myself from false allegations of abuse.	1	2	3	4	5

2. Having participated in this workshop, I would:	No	Somewhat			Yes
⊕ Support the Diocese's commitment to require this workshop for all personnel who work with children.	1	2	3	4	5
⊕ Support the Diocese's requiring this workshop for all personnel even if they don't work with children.	1	2	3	4	5
⊕ Recommend this workshop to my colleagues.	1	2	3	4	5



**Protecting God's Children:  
 Seminar for the Diocese of Manchester**



**DIOCESE OF MANCHESTER**  
**REGISTRATION - VERIFICATION OF ATTENDANCE**

**PRINT CLEARLY**

First	Middle	Last	Telephone
Address		City/State/Zip	
Date of Birth		Social Security Number	
Parish/Institution			City

I am a  Volunteer  
 Paid Employee     Full time     Part Time

My ministry/work requires me to drive     a Diocesan owned/leased vehicle  
 my personal vehicle on Church business

My ministry requires me to work with     children     elderly     adults  
\_\_\_\_\_ %                      \_\_\_\_\_ %                      \_\_\_\_\_ %

**Check all that apply**

<input type="checkbox"/> Business Manager <input type="checkbox"/> Counselor <input type="checkbox"/> Coordinator of Religious Education <input type="checkbox"/> Catechist <input type="checkbox"/> CYO Coach/Leader <input type="checkbox"/> Coach (Other) <input type="checkbox"/> Deacon <input type="checkbox"/> Diocesan Administration <input type="checkbox"/> Evangelization <input type="checkbox"/> Eucharistic Minister <input type="checkbox"/> Lector <input type="checkbox"/> Music Ministry (Adult) <input type="checkbox"/> Music Ministry (Youth)	<input type="checkbox"/> Pastoral Associate/Assistant <input type="checkbox"/> Parish/Finance Council <input type="checkbox"/> Parish Nursery/Pre-School/Kindergarten <input type="checkbox"/> Priest <input type="checkbox"/> Principal/Teacher (Catholic School) <input type="checkbox"/> Religious Man/Woman <input type="checkbox"/> Scout Leader/Volunteer <input type="checkbox"/> Secretary <input type="checkbox"/> Seminarian <input type="checkbox"/> Youth Camp <input type="checkbox"/> Youth Minister <input type="checkbox"/> Other _____ <div style="text-align: center;">Specify</div>
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**Workshop Information:**

Date of Workshop:     April 29     April 30     May 1     May 2     May 4

Location:     Concord     Manchester     Portsmouth     Waterville Valley     Bedford



# *Protecting God's Children*

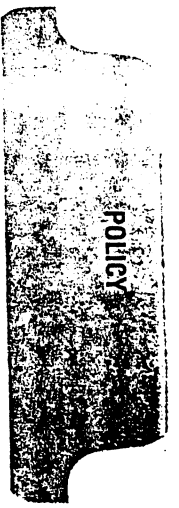
## *Responsible Relationships in Ministry*

Policy on Sexual Misconduct - Diocese of Manchester

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We gratefully acknowledge the assistance of VIRTUS®, a program of the National Catholic Risk Retention Group, Inc., for the development of graphics and other materials utilized by the Diocese of Manchester in this manual.

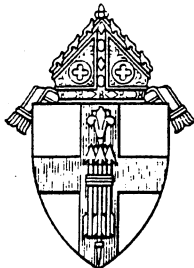
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*Protecting God's Children*  
*Responsible Relationships in Ministry*

**POLICY on**  
**SEXUAL MISCONDUCT**

**DIOCESE OF**  
**MANCHESTER**





## *Protecting God's Children - Responsible Relationships in Ministry*

Ministry entails service to others; it involves relationships. Our relationships with God and one another define who we are, the Body of Christ.

Relationships in ministry are our richest heritage; we share our hopes and dreams as well as our sorrows and anguish with one another. We relate with one another as servants of the Gospel. We are respectful of the people whom we are called to love and serve.

In view of the fact that we encounter Christ in the people we serve, our relationships in ministry take on special importance. To this end, we recognize the need for a process to address relationships that are not consistent with our mission as Church and that offend human dignity.

The following policy and guidelines provide ways to address relationships in ministry that lack a clear sense of respect for each and every person whom we serve. These guidelines apply to all men and women who work and serve under the auspices of the Diocese of Manchester. All priests, deacons, members of a religious institute, and lay employees or volunteers are required to observe these standards and procedures. They apply equally to priests, deacons, members of a religious institute, paid employees and volunteers. Pastors or priests who administer parishes in the absence of a pastor, principals, and institutional directors of the Diocese will make this policy and its procedures readily available so that should inappropriate behavior occur, the people are made aware of the process by which the Diocese of Manchester deals with such matters.

### I. Policy Statement

People have the right to be free from sexual harassment and misconduct. No one in the service of the Church should subject anyone else to sexual misconduct. Sexual misconduct has a devastating impact on victims and the Diocese of Manchester is committed to preventing and eliminating such misconduct. The Bishop's Delegate for Sexual Misconduct ("the Delegate") will develop and maintain a process to assure that all who minister and all to whom the Church ministers will receive clear communications on the Diocesan Policy on Sexual Misconduct.

### II. Policy Purpose – Statement of Prohibited Conduct

Sexual misconduct is totally contrary to the Church's commitment to promote human dignity and will not be tolerated. When such misconduct creates or contributes to an intimidating or oppressive atmosphere in the Diocese it harms not only the direct victims but all others associated with that victim. Every person working in ministry has a duty to observe this policy and shall be subject to disciplinary action for failing to do so.

### III. Definitions

The term *sexual misconduct*, as used throughout this policy, refers to three related forms of misconduct. *Sexual abuse* is any sexual contact between an adult and a minor or between an adult and a vulnerable adult. *Sexual exploitation* is sexual contact between an adult and a person receiving pastoral care. *Sexual harassment* is unwanted, sexually suggestive conduct or language between workers, supervisors, volunteers, students or others involved in any ministry or activity of the Church. All three are addressed in this document because they usually involve an abuse of power or authority. State and federal law provide further definition for each type of sexual misconduct.

IV. Procedure for Reporting

- A. Individuals who want to report sexual misconduct may do so orally or in writing to the appropriate person or alternate. Complaints may be submitted by the individuals themselves or a representative and shall be accepted by the Bishop's Delegate for Sexual Misconduct. The Delegate will then inform the Bishop of the complaint and all subsequent action.

Complaints should be made to the Bishop's Delegate for Sexual Misconduct at the Diocesan Administration Building, P.O. Box 310, 153 Ash Street, Manchester, NH 03105-0310, or by telephone at 603-669-3100.

- B. The Diocese of Manchester respects the sensitive nature of the information regarding complaints of sexual misconduct. The Diocese will treat all information it receives regarding these complaints with the utmost discretion. In order to proceed with a fair and thorough investigation, however, the Diocese cannot assure strict confidentiality.

V. Procedure for the Investigation of a Complaint

- A. Prior to the investigation of a complaint, it is assumed that a person is innocent until the evidence of the investigation demonstrates otherwise. However, the presumption of innocence does not preclude the Diocese from taking prudent action regarding the assignment or employment of the accused person before any investigation is completed.
- B. Upon notification of a complaint, the Bishop's Delegate for Sexual Misconduct or his designee will meet within 48 hours with the complainant and/or his/her representative. The purpose of this meeting is to learn about the allegation and to offer assistance and solace to the complainant as needed, including psychological and pastoral guidance. Such assistance flows from the mission and ministry of the Church, and shall not be considered in itself as an indication that the Diocese is in any way culpable or responsible for the actions of the accused person, or that the accused person is guilty of the charge.
- C. Following the reception of the complaint and meeting with the complainant, the Delegate or his designee will interview the person alleged to be the source of the misconduct. The accused person should be aware of the complaint and that his/her response, although currently being dealt with confidentially, could by law be drawn into the public forum. Once the accused person responds to the allegation, the Delegate determines the next step, whether to proceed with further investigation, make a report to the Bishop and/or present the case to the *Diocesan Review Board*.
- D. Upon the receipt of a complaint of sexual misconduct the Bishop's Delegate for Sexual Misconduct will take steps to ensure that all reporting requirements of state and local law are fulfilled. The Diocese of Manchester will cooperate fully with authorities in their investigation of complaints.
- E. The *Diocesan Review Board* is an advisory board to the Bishop. Its responsibility is to review a complaint, the response of the accused person, the results of further

investigation and the recommendations of the Delegate. The Diocesan Review Board then makes a recommendation to the Bishop regarding the disposition of the complaint and the assignment of the individual

- F. The *Diocesan Review Board* will be composed of persons with knowledge of matters that pertain to sexual misconduct. Included will be representatives of the pastoral, legal, psychological, social, medical and educational fields.
- G. The *Diocesan Review Board* will be responsible for reviewing all the evidence and testimony gathered by the Delegate and shall offer a statement of their findings with specific recommendations to the Bishop.
- H. The Delegate will arrange specialized outreach and counseling services to the larger parish family, institution or community in a manner that is appropriate when a complaint has become public.

VI. Pastoral Response and Follow-up

- A. Any persons acting on behalf of the Diocese, whether priest, deacon, member of a religious institute, paid employee or volunteer who admit to, do not contest or are found guilty of an incident of sexual misconduct shall be subject to appropriate disciplinary measures. Such disciplinary measures may range from an appropriate warning, participation in treatment programs and up to and including termination of ministry and/or employment. Consideration is given to the type and severity of the misconduct, the position held by the offending individual, and whether or not there have been prior complaints.
- B. Incidents of sexual misconduct when they involve a priest, deacon or member of a religious institute are matters of grave concern. So contrary are they to the life and ministry of the clergy and the Church, the Diocese must respond expeditiously and efficiently in order to avoid further incidents.
- C. Responsibility of the Diocese for Priests and Deacons of the Diocese of Manchester:
  - 1. The diocesan response to a priest or deacon of the Diocese of Manchester accused of sexual misconduct admits to specific canonical requirements and remedies available in canon law. The Delegate, when dealing with an accused diocesan priest or deacon regarding an allegation or incident of sexual misconduct, will act as an administrator of diocesan policy.
  - 2. Administrative and Pastoral Response

Once it is determined that there is substance to the allegation, an administrative response as well as a pastoral response will be determined and recommended by the Delegate and the *Diocesan Review Board* and prescribed by the Bishop.

    - (a) An administrative leave may be recommended to the priest or deacon with consideration for the circumstances of the specific situation in accord with *canon 1722*. In general, an administrative leave will be time limited; will allow for re-determination at the end of such time limit; will specify living arrangements, location, financial support; will address evaluation and treatment, procedure, conduct and after-care plans.

*Protecting God's Children - Responsible Relationships in Ministry*

(b) Participation by the accused priest or deacon in appropriate evaluation and treatment procedures as well as the place of residence will be required as a matter of clerical obedience (*canon 273*). Following the decision of the Bishop, an after-care plan will be developed which the priest, deacon will be required to observe as a matter of clerical obedience.

3. Investigation and Post-Treatment Procedures

(a) Some of the elements that will help shape the Bishop's decision regarding post-treatment and placement plans include:

- The outcome of any proceedings initiated by the complainant;
- The judgment and recommendation made by a professional evaluation and treatment plan regarding the overall health of the priest, deacon or member ~~of a religious institute~~ and his readiness for return to ministry;
- The well being of those who are served by the Church and live in a particular community.

(b) Future assignment and placement require a full sharing with the Bishop and his agents of appropriate information about the readiness of the priest or deacon as developed in the course of treatment.

(c) Prudent judgment calls for continued monitoring and/or regular supervision and accountability with regard to completion of the approved post-treatment plan. To this end, a *Mentor* will be appointed by the Bishop to provide input regarding future assignment or placement of the priest or deacon and to ensure that the agreed upon after-care program is being implemented.

(d) Should a priest or deacon not accept the assignment offered by the Bishop or choose to resign from ministry and seek laicization, the Diocese may pursue appropriate courses of action as provided for in the Code of Canon Law.

D. Responsibility of the Diocese for a Member of a Religious Institute and/or a Priest or Deacon Incardinated in Another (Arch)Diocese:

1. The diocesan response to a member of a religious institute and/or a priest or deacon who is incardinated in another (arch)diocese accused of sexual misconduct admits to specific canonical requirements and remedies available in canon law.
2. Once it is determined that there is substance to the allegation and if the accused person is a member of a religious institute, the Delegate will contact the Major Superior of the religious community who will proceed with an investigation. Similarly, if the accused is a priest or deacon from another diocese, the Delegate will contact the accused priest's or deacon's diocesan bishop or his delegate so that he may proceed with an investigation.

VII. Education and Training Concerning Sexual Misconduct

This Policy and Guidelines shall be communicated in writing to all priests, deacons, members of religious institutes, paid employees and volunteers who serve in the name of the Diocese of Manchester. Educational notices communicating the diocesan policies and procedures regarding sexual misconduct shall be displayed at service locations throughout the

Diocese. Each department of the Diocese is responsible for providing periodic training programs for its personnel regarding this policy prohibiting sexual misconduct, and the complaint and investigation procedure set forth herein. Such training shall contain the following components:

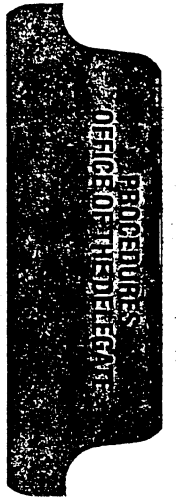
- A. Supervisory Personnel<sup>1</sup>: shall participate in a training session on sexual misconduct and other forms of misconduct that are not tolerated in the work place. They are responsible for knowing the contents of the Diocesan Policy on Sexual Misconduct and for giving similar presentations to employees and/or volunteers.
- B. Employees and Volunteers<sup>2</sup>: as part of general orientation, each newly hired employee will be provided a copy of the Diocesan Policy on Sexual Misconduct. Each employee will be asked to signify, through their signature, that they have read and acknowledge the existence of these policies.

In addition, supervisory employees who have attended a training seminar on sexual misconduct, as set forth above, shall meet with employees and volunteers under their authority to periodically advise them of the "zero tolerance" policy in this regard. They will explain the procedure for reporting all incidents of sexual misconduct and the resolution of such incidents following investigation.

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<sup>1</sup> Pastors, parish administrators, Cabinet Secretaries, principals, institutional directors, department heads, etc.

<sup>2</sup> Diocesan, deanery, parish, school and institutional employees and volunteers.

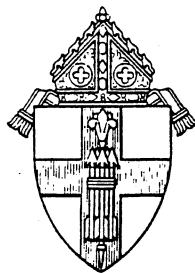


*Protecting God's Children*  
*Responsible Relationships in Ministry*

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**PROCEDURES**  
**Office of the Delegate**

**DIOCESE OF  
MANCHESTER**



## DIOCESE OF MANCHESTER

### PASTORAL RESPONSE TO AN ALLEGATION OF SEXUAL MISCONDUCT

#### INTRODUCTION

An allegation of sexual misconduct by a priest, deacon, member of a religious institute, employee or volunteer is a serious matter. When such an allegation is brought to the attention of the Bishop of Manchester (the Bishop) or his Delegate for Sexual Misconduct (the Delegate), an investigation will begin promptly and will be handled with the utmost care and compassion for the Complainant, the accused person and anyone else associated with the alleged incident.

A *Diocesan Review Board* has been established as an advisory board to the Bishop. Its responsibility is to review a complaint, the response of the accused person, the results of further investigation and the recommendations of the Delegate. The Diocesan Review Board then is to make a recommendation to the Bishop regarding the disposition of the complaint and the assignment of the individual

The *Diocesan Review Board* will be composed of persons with knowledge of matters that pertain to sexual misconduct. Included will be representatives of the pastoral, legal, psychological, social, medical and educational fields.

The *Diocesan Review Board* will be responsible for reviewing all the evidence and testimony gathered by the Delegate and shall offer their statement of findings with specific recommendations to the Bishop.

The Diocese of Manchester is committed to an appropriate response to all such allegations — a pastoral response that is both thorough and compassionate. The stages of the process after an allegation is received include:

- I. Receipt of an Allegation
- II. Initial Assessment
- III. Investigation
- IV. Report to Bishop of Manchester
- V. Response to Parish or Institution

The Delegate will apprise the Bishop of all information gathered during this process.



OVERVIEW

**I. Receipt of an Allegation**

An allegation of sexual misconduct by a priest, deacon, member of a religious institute, employee or volunteer must be made orally or in writing to the Delegate of the Bishop for Sexual Misconduct. Upon receipt of an allegation, the Delegate shall inform the Bishop.

**II. Initial Assessment**

Upon receiving an allegation of sexual misconduct, the Delegate will immediately initiate a process of *Initial Assessment*. All allegations with sufficient data to warrant further investigation will result in an *Initial Assessment*. Should an allegation lack sufficient information to warrant an *Initial Assessment*, the *Diocesan Review Board* will confirm the Delegate's decision to file the complaint as "Reported and Not Investigated."

The *Initial Assessment* is meant to provide an initial pastoral response to the Complainant, the accused person, and those associated with the alleged incident. These responses include access to pastoral and psychological care for the Complainant and the accused person, separation of the Complainant from the accused person and the assignment of appropriate personnel to ensure a thorough and timely *Investigation* of the allegation.

**III. Investigation**

The *Investigation* seeks to gather detailed information from the Complainant, the accused person and those associated with the alleged incident. Upon the completion of the *Investigation*, the *Diocesan Review Board* will evaluate the information and will prepare a Summary of Investigation and Its Findings for presentation to the Bishop.

**IV. Report to the Bishop**

The *Diocesan Review Board* will, in turn, make a Recommendation to the Bishop regarding the accused person as a result of its findings and will also include recommendations regarding pastoral care plans for the Complainant, the accused person, and those associated with the incident, including the affected parish or religious organization(s).

**V. Response to Parish or Institution**

The entire community is affected by an allegation of sexual misconduct by a priest, deacon, member of a religious institute, employee or volunteer. Particular pastoral care will be extended to the parishes or institutions directly impacted by an allegation of this nature.

## I. RECEIPT OF AN ALLEGATION

An allegation of sexual misconduct by a priest, deacon, member of a religious institute, employee or volunteer must be made orally or in writing to the Delegate or his representative. The notification may be made by the complainant's representative such as a parent, spouse, sibling, friend, attorney, or counselor; an employee or volunteer; or an uninvolved person, such as the police or a neighbor. Upon receipt of an allegation, the Delegate shall inform the Bishop.

Upon receipt of an allegation regarding an employee or volunteer, the pastor, principal or immediate supervisor will be notified by the Delegate. Administrative recourse for employees and volunteers will be in accordance with the respective personnel and volunteer policy of the parish, school or institution.

If the Delegate is not available to receive the allegation, a representative from his office shall gather enough information to enable the Delegate to make a follow-up contact with the person making the allegation.

If any priest, deacon, member of a religious institute, or parish staff member receives information that abuse is occurring or had occurred, then that person must notify the Delegate or his office of the allegation immediately.

Any report with substantive information will lead to an *Initial Assessment*. Any notification received through an anonymous source will be assessed if sufficient substance as to time, place, and participants is provided.

## II. INITIAL ASSESSMENT

### The Complainant

The Delegate will interview the Complainant. At this time the Delegate will offer the services of a *Pastoral Care Manager* to the Complainant.

If the complainant is a minor, the Delegate or his representative will inform the complainant that the Delegate must notify the civil authorities in accordance with all applicable statutes. If the complainant was a minor at the time of the abuse, but is now an adult, the Delegate will advise the complainant that it is the complainant's decision to inform the civil authorities.

### The Accused Person

The Delegate will contact the accused priest or deacon, Major Superior of the member of a religious institute, employee or volunteer to review the complaint with them. The accused person will be informed of his/her civil and canonical rights at the outset of the interview.

If the accused person is a member of a religious institute, the Delegate will contact the Major Superior of the religious community who will proceed with an investigation.

Similarly, if the accused person is a priest or deacon from another diocese, the Delegate will contact the accused priest or deacon's diocesan bishop or his delegate so that they may proceed with an investigation.

The Delegate will arrange for a medical and/or psychological assessment of the priest or deacon. Refusal to cooperate in such assessment will result in disciplinary action by the Bishop and/or the appropriate religious Ordinary.

The Delegate has a legal requirement in the State of New Hampshire to inform civil authorities of the allegation if the Complainant is a minor. Working within all applicable statutes regarding reporting of allegations of sexual abuse, the Delegate will make every effort to inform the accused person of the allegation before informing authorities. The Delegate may be able to facilitate an expeditious meeting between the accused person and civil authorities. The Delegate will contact the diocesan legal counsel as part of this process of informing civil authorities.

An accused priest or deacon incardinated in the Diocese of Manchester will be asked to take an administrative leave pending the outcome of the *Investigation* and final resolution. A member of a religious institute or priest/deacon incardinated in another (arch)diocese will be relieved from ministry pending the outcome of the *Investigation* and final resolution.

### **III. INVESTIGATION**

If the *Initial Assessment* concludes that the allegation may be true, the Bishop will authorize an *Investigation* to ascertain whether there is sufficient information to invoke canonical penal process or to take other appropriate action. Even if the accused priest or deacon admits to the allegation, a formal investigation is necessary.

A trained *Pastoral Care Manager* will be assigned to the Complainant to maintain regular contact with the Complainant and his/her family and to provide support and guidance in obtaining available psychological assistance. Further, the *Pastoral Care Manager* will, if necessary, assist the Complainant to see that the Complainant's spiritual needs are addressed.

The *Pastoral Care Manager* will obtain information to further the investigation of the complaint. The *Pastoral Care Manager* is not to provide counseling services to the Complainant.

A trained *Priest Mentor* will be offered to the accused priest or deacon or member of a religious institute to maintain regular contact for support and to guide him/her in obtaining available assistance.

Upon completion of the *Investigation*, the Delegate will prepare a written summary of the evaluation and treatment reports of the accused person and/or the Complainant for review

with the *Diocesan Review Board* so that they may prepare a recommendation for the Bishop of Manchester.

#### **The Diocesan Review Board**

The Bishop has established a *Diocesan Review Board* to assist him. Its responsibility is to review a complaint, the response of the accused person, the results of further investigation and the recommendations of the Delegate.

#### **IV. REPORT TO THE BISHOP OF MANCHESTER**

The *Diocesan Review Board* then is to prepare a Summary of Investigation and Its Findings and a Recommendation to the Bishop regarding the disposition of the complaint and the assignment of the individual.

#### **V. RESPONSE TO PARISHES AND INSTITUTIONS**

The entire community is affected by an allegation of sexual misconduct by a priest, deacon or member of a religious institute. Particular pastoral care must be extended to the parishes or institutions directly impacted by an allegation of this nature.

1. When an accusation is public in nature, the Delegate will contact the leadership of the parish or institution to determine the type of pastoral response that ought to be made by the Diocese, always protecting the rights of the accused person and the confidentiality of the Complainant.
2. When an accusation is public in nature, the Delegate will share available and appropriate information with the leadership of the parish or institution, always protecting the rights of the accused person and the confidentiality of the Complainant.
3. The Delegate will be responsible for all official comments from the Diocese. No diocesan employee, priest or deacon or member of a religious institute, and no employee of the parish or institution shall offer information regarding the allegation, the Complainant, or the accused person.
4. The Delegate will arrange for appropriate pastoral assistance to the parish community or institution.

# DIOCESE OF MANCHESTER

## **Pastoral Response to an Allegation of Misconduct**

When an accusation of inappropriate behavior is made against a priest, deacon, or member of a religious institute, the Diocese of Manchester takes seriously its obligation to discover the facts, respect individual rights, and assist the complainant, the faith community, and the accused person. To accomplish this, the Diocese has developed a process that it intends to be fair to both the Complainant and the accused person.

The process includes five steps:

- I. Receipt of an Allegation
- II. Initial Assessment
- III. Investigation
- IV. Report to Bishop of Manchester
- V. Response to Parish or Institution

The people involved in the process include the Complainant or person making the allegation, the *Delegate for Sexual Misconduct* who acts on behalf of the Bishop of Manchester, a *Pastoral Care Manager* who interacts with the Complainant on behalf of the Delegate.

The *Pastoral Care Manager* will explain the process to the Complainant and obtain pertinent information about the allegation and the Complainant. All information obtained by the *Pastoral Care Manager* may be shared with the Delegate, the Bishop, and the Diocesan Review Board. All information will be treated with discretion, but cannot be subject to total confidentiality because the procedures for investigating complaints are an administrative process in which information is shared with the Bishop and his Delegate.

The Diocese will conduct an appropriate investigation of the allegation and inform the Complainant of the progress of the investigation at reasonable intervals. The Diocese will offer pastoral counseling to the Complainant and will try to assist the Complainant with other needs.

The Diocese relies on the Complainant to cooperate in the process and to provide information that is as accurate and complete as possible regarding him/herself, the accused person, and the incident(s).

**DIOCESE OF MANCHESTER**

**STATEMENT OF RIGHTS AND AGREEMENT  
OF PERSON ACCUSED OF SEXUAL MISCONDUCT**

When an accusation of inappropriate behavior is made, the Diocese of Manchester takes seriously its obligation to discover the facts, protect individual rights, and fulfill its obligations to the complainant, the faith community, and the accused person. In this regard, whenever an investigation or evaluation is conducted with someone accused of an offense, the following shall serve as guiding principles:

The Delegate will:

1. inform the person being interviewed of the process to be used;
2. inform the person being interviewed what information will be shared with whom;
3. inform the person being interviewed that he is acting in an administrative capacity on behalf of the Bishop of Manchester;
4. inform the person being interviewed that any and all information disclosed will be treated with discretion, but not be subject to confidentiality because the administrative process requires the sharing of specific information with the Bishop and his Delegate.

**RIGHTS OF THE ACCUSED PERSON**

The accused person has the right to:

1. not to implicate oneself;
2. counsel, civil and canonical;
3. review the results of one's own psychological evaluation;
4. know what has been alleged and to offer a defense against the allegations;
5. know and understand the review process;
6. discretion in the conduct of the investigation and to have his/her good name protected.

**AGREEMENT OF THE ACCUSED PERSON**

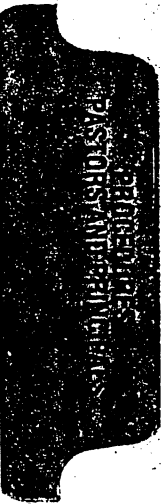
The accused person is obliged to:

1. not to interfere in the investigative process;
2. observe any special provisions imposed by the Bishop of Manchester;
3. release the results of medical/psychological assessments and/or evaluations to the Bishop of Manchester, the Delegate, the Diocesan Review Board (shared in an anonymous format), as deemed appropriate by the Bishop of Manchester.

By affixing my signature below, I affirm that I have read and understand this statement of rights and obligations.

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Delegate \_\_\_\_\_ Date \_\_\_\_\_

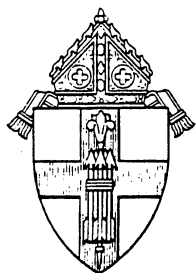


*Protecting God's Children*  
*Responsible Relationships in Ministry*

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**PROCEDURES**  
**Pastors and Principals**

**DIOCESE OF**  
**MANCHESTER**





## PROCEDURES

### Pastors and Principals

#### ADMINISTRATIVE PROCEDURES

1. Know *Protecting God's Children – Responsible Relationships in Ministry* and administer it as your own parish or school policy.
2. Distribute *Protecting God's Children – Responsible Relationships in Ministry* to all employees and volunteers.
3. Coordinate providing annual training of *Protecting God's Children – Responsible Relationships in Ministry* to all employees and volunteers.

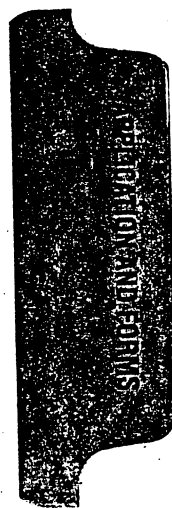
#### INVESTIGATIVE PROCEDURES

1. Report all allegations of sexual misconduct by a priest, deacon, member of a religious institute, employee, or volunteer to the Bishop's Delegate for Sexual Misconduct at (603) 669-3100 or in writing at Diocese of Manchester, PO Box 310, Manchester, NH 03105-0310.
2. Be prepared to support appropriate administrative recourse to allegations regarding an employee or volunteer as provided in your parish or school Personnel Policy.

#### REVIEW PROCEDURES

1. Evaluate all programs for potential risk to children and vulnerable persons.
2. Evaluate your program site for secluded or remote areas and make appropriate changes.

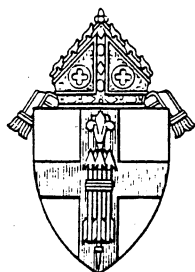
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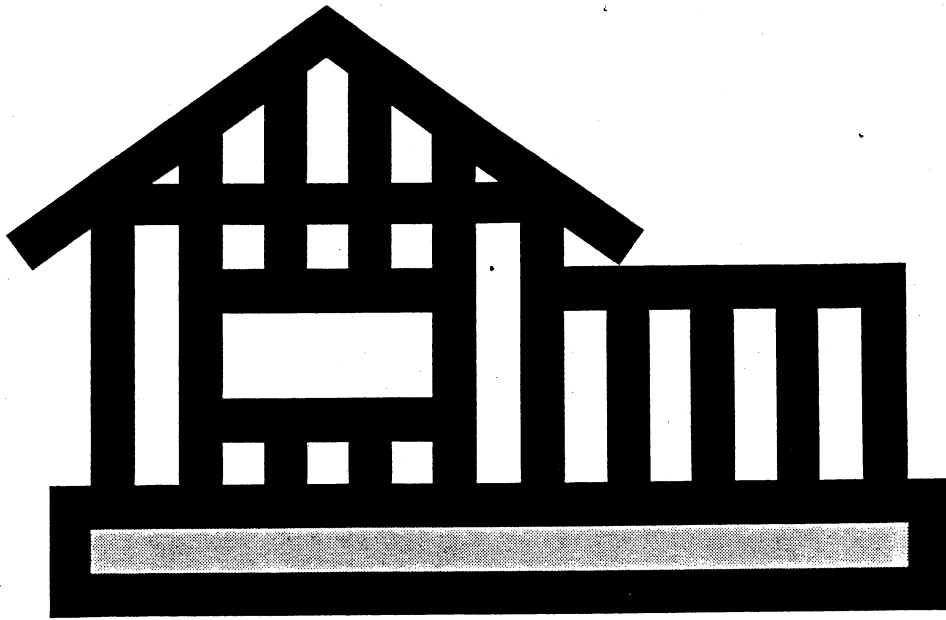
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*Responsible Relationships in Ministry*

**APPLICATION AND FORMS**

**DIOCESE OF  
MANCHESTER**



**THIS SECTION**



**UNDER  
CONSTRUCTION**

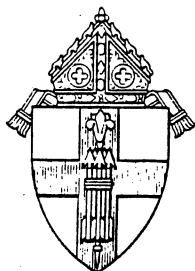
RESOURCE MATERIALS

*Protecting God's Children*  
*Responsible Relationships in Ministry*

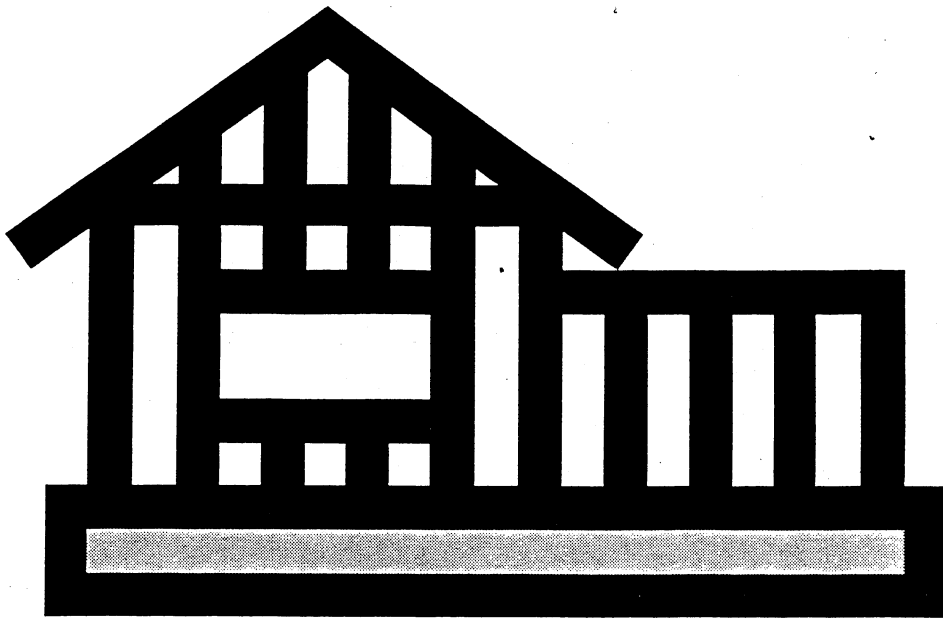
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**RESOURCE MATERIALS**

**DIOCESE OF  
MANCHESTER**

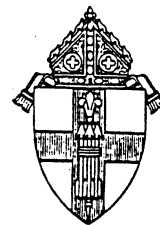


**THIS SECTION**



**UNDER  
CONSTRUCTION**

## THE DIOCESE OF MANCHESTER



*Protecting God's Children*  
*Responsible Relationships in Ministry*

Ministry entails service to others; it involves relationships. Our relationships with God and one another define who we are, the Body of Christ.

Relationships in ministry are our richest heritage; we share our hopes and dreams as well as our sorrows and anguish with one another. We relate with one another as servants of the Gospel. We are respectful of the people whom we are called to love and serve.

In view of the fact that we encounter Christ in the people we serve, our relationships in ministry take on special importance. To this end, we recognize the need for a process to address relationships that are not consistent with our mission as Church and that offend human dignity.

Preventing child sexual abuse begins with each person being willing to raise his or her own awareness about the nature and scope of child sexual abuse in society, in the community, in the neighborhood, and in the family.

"People have the right to be free from sexual harassment and misconduct. No one in the service of the Church should subject anyone else to sexual misconduct. Sexual misconduct has a devastating impact on victims, and the Diocese of Manchester is committed to preventing and eliminating such misconduct. The Bishop's Delegate for Sexual Misconduct will develop and maintain a process to assure that all who minister and all to whom the Church ministers will receive clear communications on the Diocesan Policy on Sexual Misconduct."



## *Protecting God's Children*

### **What to Do If You Suspect Abuse or Neglect of a Child in NH**

#### **State Law**

New Hampshire law requires that any person having reason to suspect that a child has been abused or neglected shall report to the *Division of Children, Youth and Families* (DCYF) of the State of New Hampshire.

An "abused child" is any child who has been sexually abused, physically injured or psychologically injured so that the child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect. A child means anyone who has not reached his/her eighteenth (18<sup>th</sup>) birthday.

Report to  
State of New Hampshire  
Division of Children, Youth & Families  
(800) 894-5533

### **What to Do if You Suspect Abuse of a Child by Church Personnel in NH**

#### **Diocesan Policy**

**In addition** to contacting State authorities, if you suspect abuse by a priest, deacon, member of religious institute, employee or volunteer of the Diocese of Manchester

Report to  
Delegate of the Bishop of Manchester  
Diocese of Manchester  
(603) 669-3100

### **What to Do If You Need to Talk With Someone in NH**

If you need to talk with someone about child abuse in the Church,

Contact:  
New Hampshire Catholic Charities  
Consultation and Counseling Services



# NIXON PEABODY LLP

ATTORNEYS AT LAW  
889 Elm Street

Manchester, New Hampshire 03101-2019

(603) 628-4000

Fax: (603) 628-4040

Direct Dial: (603) 628-4083

E-Mail: [dvicinanzo@nixonpeabody.com](mailto:dvicinanzo@nixonpeabody.com)

November 13, 2002

Will Delker, Esq. Bureau Chief  
Criminal Justice Bureau  
Department of Justice  
State of New Hampshire  
33 Capitol Street  
Concord, NH 03301

Dear Will:

I enclose written policies on sexual abuse and a training video currently used to supplement written materials. The materials cover approximately the last decade. Prior to that time, diocesan officials and personnel received counsel and occasional publications on these issues, but I am unaware of diocesan written materials reflecting policy or training.

Please call me if you have any questions.

Very truly yours,

David A. Vicinanzo

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# *Protecting God's Children*

## *Responsible Relationships in Ministry*

Policy on Sexual Misconduct  
Diocese of Manchester, New Hampshire

Ministry entails service to others; it involves relationships. Our relationships with God and one another define who we are, the Body of Christ.

Relationships in ministry are our richest heritage; we share our hopes and dreams as well as our sorrows and anguish with one another. We relate with one another as servants of the Gospel. We are respectful of the people whom we are called to love and serve.

In view of the fact that we encounter Christ in the people we serve, our relationships in ministry take on special importance. To this end, we recognize the need for a process to address relationships that are not consistent with our mission as Church and that offend human dignity.

The following policy and guidelines provide ways to address relationships in ministry that lack a clear sense of respect for each and every person whom we serve. These guidelines apply to all men and women who work and serve under the auspices of the Diocese of Manchester. All priests, deacons, members of a religious institute, and lay employees or volunteers are required to observe these standards and procedures. They apply equally to priests, deacons, members of a religious institute, paid employees and volunteers. Pastors or priests who administer parishes in the absence of a pastor, principals, and institutional directors of the Diocese will make this policy and its procedures readily available so that should inappropriate behavior occur, the people are made aware of the process by which the Diocese of Manchester deals with such matters.

I. Policy Statement

People have the right to be free from sexual harassment and misconduct. No one in the service of the Church should subject anyone else to sexual misconduct. Sexual misconduct has a devastating impact on victims and the Diocese of Manchester is committed to preventing and eliminating such misconduct. The Bishop's Delegate for Sexual Misconduct ("the Delegate") will develop and maintain a process to assure that all who minister and all to whom the Church ministers will receive clear communications on the Diocesan Policy on Sexual Misconduct.

II. Policy Purpose – Statement of Prohibited Conduct

Sexual misconduct is totally contrary to the Church's commitment to promote human dignity and will not be tolerated. When such misconduct creates or contributes to an intimidating or oppressive atmosphere in the Diocese it harms not only the direct victims but all others associated with that victim. Every person working in ministry has a duty to observe this policy and shall be subject to disciplinary action for failing to do so.

III. Definitions

The term *sexual misconduct*, as used throughout this policy, refers to three related forms of misconduct. *Sexual abuse* is any sexual contact between an adult and a minor or between an adult and a vulnerable adult. *Sexual exploitation* is sexual contact between an adult and a person receiving pastoral care. *Sexual harassment* is unwanted, sexually suggestive conduct or language between workers, supervisors, volunteers, students or others involved in any ministry or activity of the Church. All three are addressed in this document because they usually involve an abuse of power or authority. State and federal law provide further definition for each type of sexual misconduct.

IV. Procedure for Reporting

- A. Individuals who want to report sexual misconduct may do so orally or in writing to the appropriate person or alternate. Complaints may be submitted by the individuals themselves or a representative and shall be accepted by the Bishop's Delegate for Sexual Misconduct. The Delegate will then inform the Bishop of the complaint and all subsequent action.

Complaints should be made to the Bishop's Delegate for Sexual Misconduct at the Diocesan Administration Building, P.O. Box 310, 153 Ash Street, Manchester, NH 03105-0310, or by telephone at 603-669-3100.

- B. The Diocese of Manchester respects the sensitive nature of the information regarding complaints of sexual misconduct. The Diocese will treat all information it receives regarding these complaints with the utmost discretion. In order to proceed with a fair and thorough investigation, however, the Diocese cannot assure strict confidentiality.

V. Procedure for the Investigation of a Complaint

- A. Prior to the investigation of a complaint, it is assumed that a person is innocent until the evidence of the investigation demonstrates otherwise. However, the presumption of innocence does not preclude the Diocese from taking prudent action regarding the assignment or employment of the accused person before any investigation is completed.
- B. Upon notification of a complaint, the Bishop's Delegate for Sexual Misconduct or his designee will meet within 48 hours with the complainant and/or his/her representative. The purpose of this meeting is to learn about the allegation and to offer assistance and solace to the complainant as needed, including psychological and pastoral guidance. Such assistance flows from the mission and ministry of the Church, and shall not be considered in itself as an indication that the Diocese is in any way culpable or responsible for the actions of the accused person, or that the accused person is guilty of the charge.
- C. Following the reception of the complaint and meeting with the complainant, the Delegate or his designee will interview the person alleged to be the source of the misconduct. The accused person should be aware of the complaint and that his/her response, although currently being dealt with confidentially, could by law be drawn into the public forum. Once the accused person responds to the allegation, the Delegate determines the next step, whether to proceed with further investigation, make a report to the Bishop and/or present the case to the *Diocesan Review Board*.
- D. Upon the receipt of a complaint of sexual misconduct the Bishop's Delegate for Sexual Misconduct will take steps to ensure that all reporting requirements of state and local law are fulfilled. The Diocese of Manchester will cooperate fully with authorities in their investigation of complaints.
- E. The *Diocesan Review Board* is an advisory board to the Bishop. Its responsibility is to review a complaint, the response of the accused person, the results of further

investigation and the recommendations of the Delegate. The Diocesan Review Board then makes a recommendation to the Bishop regarding the disposition of the complaint and the assignment of the individual

- F. The *Diocesan Review Board* will be composed of persons with knowledge of matters that pertain to sexual misconduct. Included will be representatives of the pastoral, legal, psychological, social, medical and educational fields.
- G. The *Diocesan Review Board* will be responsible for reviewing all the evidence and testimony gathered by the Delegate and shall offer a statement of their findings with specific recommendations to the Bishop.
- H. The Delegate will arrange specialized outreach and counseling services to the larger parish family, institution or community in a manner that is appropriate when a complaint has become public.

VI. Pastoral Response and Follow-up

- A. Any persons acting on behalf of the Diocese, whether priest, deacon, member of a religious institute, paid employee or volunteer who admit to, do not contest or are found guilty of an incident of sexual misconduct shall be subject to appropriate disciplinary measures. Such disciplinary measures may range from an appropriate warning, participation in treatment programs and up to and including termination of ministry and/or employment. Consideration is given to the type and severity of the misconduct, the position held by the offending individual, and whether or not there have been prior complaints.
- B. Incidents of sexual misconduct when they involve a priest, deacon or member of a religious institute are matters of grave concern. So contrary are they to the life and ministry of the clergy and the Church, the Diocese must respond expeditiously and efficiently in order to avoid further incidents.
- C. Responsibility of the Diocese for Priests and Deacons of the Diocese of Manchester:
  - 1. The diocesan response to a priest or deacon of the Diocese of Manchester accused of sexual misconduct admits to specific canonical requirements and remedies available in canon law. The Delegate, when dealing with an accused diocesan priest or deacon regarding an allegation or incident of sexual misconduct, will act as an administrator of diocesan policy.
  - 2. Administrative and Pastoral Response

Once it is determined that there is substance to the allegation, an administrative response as well as a pastoral response will be determined and recommended by the Delegate and the *Diocesan Review Board* and prescribed by the Bishop.

    - (a) An administrative leave may be recommended to the priest or deacon with consideration for the circumstances of the specific situation in accord with *canon 1722*. In general, an administrative leave will be time limited; will allow for re-determination at the end of such time limit; will specify living arrangements, location, financial support; will address evaluation and treatment, procedure, conduct and after-care plans.

- (b) Participation by the accused priest or deacon in appropriate evaluation and treatment procedures as well as the place of residence will be required as a matter of clerical obedience (*canon 273*). Following the decision of the Bishop, an after-care plan will be developed which the priest, deacon will be required to observe as a matter of clerical obedience.

3. Investigation and Post-Treatment Procedures

- (a) Some of the elements that will help shape the Bishop's decision regarding post-treatment and placement plans include:
  - The outcome of any proceedings initiated by the complainant;
  - The judgment and recommendation made by a professional evaluation and treatment plan regarding the overall health of the priest, deacon or member of a religious institute and his readiness for return to ministry;
  - The well being of those who are served by the Church and live in a particular community.
- (b) Future assignment and placement require a full sharing with the Bishop and his agents of appropriate information about the readiness of the priest or deacon as developed in the course of treatment.
- (c) Prudent judgment calls for continued monitoring and/or regular supervision and accountability with regard to completion of the approved post-treatment plan. To this end, a *Mentor* will be appointed by the Bishop to provide input regarding future assignment or placement of the priest or deacon and to ensure that the agreed upon after-care program is being implemented.
- (d) Should a priest or deacon not accept the assignment offered by the Bishop or choose to resign from ministry and seek laicization, the Diocese may pursue appropriate courses of action as provided for in the Code of Canon Law.

D. Responsibility of the Diocese for a Member of a Religious Institute and/or a Priest or Deacon Incardinated in Another (Arch)Diocese:

- 1. The diocesan response to a member of a religious institute and/or a priest or deacon who is incardinated in another (arch)diocese accused of sexual misconduct admits to specific canonical requirements and remedies available in canon law.
- 2. Once it is determined that there is substance to the allegation and if the accused person is a member of a religious institute, the Delegate will contact the Major Superior of the religious community who will proceed with an investigation. Similarly, if the accused is a priest or deacon from another diocese, the Delegate will contact the accused priest's or deacon's diocesan bishop or his delegate so that he may proceed with an investigation.

VII. Education and Training Concerning Sexual Misconduct

This Policy and Guidelines shall be communicated in writing to all priests, deacons, members of religious institutes, paid employees and volunteers who serve in the name of the Diocese of Manchester. Educational notices communicating the diocesan policies and procedures regarding sexual misconduct shall be displayed at service locations throughout the

Diocese. Each department of the Diocese is responsible for providing periodic training programs for its personnel regarding this policy prohibiting sexual misconduct, and the complaint and investigation procedure set forth herein. Such training shall contain the following components:

- A. Supervisory Personnel<sup>1</sup>: shall participate in a training session on sexual misconduct and other forms of misconduct that are not tolerated in the work place. They are responsible for knowing the contents of the Diocesan Policy on Sexual Misconduct and for giving similar presentations to employees and/or volunteers.
- B. Employees and Volunteers<sup>2</sup>: as part of general orientation, each newly hired employee will be provided a copy of the Diocesan Policy on Sexual Misconduct. Each employee will be asked to signify, through their signature, that they have read and acknowledge the existence of these policies.

In addition, supervisory employees who have attended a training seminar on sexual misconduct, as set forth above, shall meet with employees and volunteers under their authority to periodically advise them of the "zero tolerance" policy in this regard. They will explain the procedure for reporting all incidents of sexual misconduct and the resolution of such incidents following investigation.

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<sup>1</sup> Pastors, parish administrators, Cabinet Secretaries, principals, institutional directors, department heads, etc.

<sup>2</sup> Diocesan, deanery, parish, school and institutional employees and volunteers.