

Roman Catholic Diocese of Boise

***Creating A
Safe
Environment***

***A Workshop
For Diocesan Employees/
Parish Volunteers***

Revised September 2008

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Dear Lord,

As we begin this workshop for ministers who serve the youth and the children in our communities, we ask you to guide us in the important work of assuring safety for our children and young people.

Help us to remember the words of Matthew's gospel "Let the little children come to me, and do not hinder them; for to such belongs the kingdom of heaven."

Help us Lord to make our homes and churches a special place for the children and young people and to assure them of our love and care for them.

Help us always to remember that whoever receives one such child in your name receives you Lord, and help us to be watchful in helping prevent one of these little ones from being harmed.

We ask these things through Christ our Lord.

Amen



Creating a Safe Environment for Children and Youth

CREATING A SAFE ENVIRONMENT FOR CHILDREN AND YOUTH

Diocese of Boise
2008

How Prevalent is Abuse?

- Nearly a million substantiated cases in U.S. each year
- One in three girls and one in seven boys have been abused before they reach age 18
- More than half of abuse occurs within the family unit
- Offenders from all economic, ethnic, racial and educational and religious backgrounds

ELEMENTS OF A SAFE ENVIRONMENT

- Screening/Background Checking
- Establishing a Code of Conduct Aimed at Prevention
- Training Everyone on the Code of Conduct
- Enforcing and Reinforcing the Code of Conduct

SAFE ENVIRONMENT-SCREENING

- Screening New Hires-Reference Checking; Application Process; Criminal Background Checks
- Training New Hires-Code of Conduct; Diocesan Policies
- Criminal Background Checks for Existing Employees
- Screening Volunteers-Criminal Background Checks; Application Process; Reference checks

Diocese of Boise: Sexual Misconduct Policies

- *Section 1: To Protect the Faithful in the Future*
- *Section 2: To Promote Healing and Reconciliation with Those Victimized by Sexual Misconduct*
- *Section 3: To Guarantee A Fair and Effective Response to Allegations of Sexual Misconduct*
- *Section 4: To Ensure Accountability of Our Procedures*

WHAT POLICIES MUST CONTAIN

- They must be written Charter and Essential Norms
- Zero tolerance for sexual misconduct
- Standards of conduct
- Background checking
- Detail re: procedures according to canons 1717-1719
- Criteria for permanent removal
- Comply with civil laws re: reporting
- Criteria for transfers
- Protection of reputation and privacy

Safe Environment Program- Training- Who Must Receive Training?

- Clergy/ministers
- Educators
- Church personnel
- Parents
- Children
- Volunteers

Safe Environment Program- Background Investigations

- Criminal History Checks
- Questionnaires re: background
- Reference Checks
- Background Checks required for employees and volunteers

Definition of Sexual Abuse

- Involvement in sexual activities by an older person of a dependent, developmentally immature child or adolescent for that older person's sexual stimulation or for the gratification of other persons.

Biopsychosocial Profile of Family

- Substance Abuse
- Domestic Violence
- Mental Health Diagnosis

- Parent Survivor of Childhood Abuse

Nature of Sexual Abuse

- Voyeurism
- Sexualized language
- Exhibitionism
- Frottage
- Sexualized kissing
- Fondling
- Pornography
- Prostitution

Nature of Sexual Abuse

- Masturbation
- Digital Penetration
- Object Penetration
- Oral - Genital
- Genital - Genital
- Genital - Anal

Critical Concepts

- ▣ Child's immaturity
- ▣ Child's inability to consent
- ▣ Misuse of power / trust / control
- ▣ Violation of social taboos

Myths

- ▣ Stranger Danger
- ▣ Male Perpetrators
- ▣ Female Victims
- ▣ Fantasy
- ▣ Usually Tell
- ▣ Physical Findings
- ▣ Pain
- ▣ Never Lie
- ▣ Feel Negatively
- ▣ Threats

Risk Factors

- ▣ Gender
- ▣ Age
- ▣ Developmental Delay
- ▣ Family Structure
- ▣ Physical Handicap
- ▣ Income
- ▣ Race

Perpetrators

- ▣ Natural parents 29%
- ▣ Parent substitutes 25%
- ▣ Other 46%

Progression of Sexual Abuse

- Engagement
- Sexual interaction
- Secrecy
- Disclosure
- Suppression

Sgroi 1982

Child Sexual Abuse Accommodation

- Secrecy
- Helplessness
- Entrapment & Accommodation
- Delayed, conflicted disclosure
- Retraction

Summit 1983

Discovery

- Disclosure
- Behavioral changes
- Witness
- Physical Findings
- STD
- Confession

Validation of Sexual Abuse

- Verbal
- Clinical
- Laboratory
- Forensic

What to Look For: *Signs of Abuse in Children*

- The most important: A deviation in normal behavior for that child
- Fear/anxiety/phobia/nervousness
- Nightmares/sleep problems
- Depression/shame/guilt
- Suicide attempts
- Difficulty in showing love or affection
- Life problems
- Abuse or bullying
- Sexual acting out

Important to Remember

- Signs will be different in different children
- There may be no physical signs at all
- The signs you note could be due to trauma other than abuse
- It is important not to overreact, but simply to be more aware and vigilant, and try to be a friend to the child!

Grooming Children:

Signs to Look for in Adult/Child Interaction

- Vulnerable child
- Peerlike Involvement (playing at child's level of maturity)
- May be inappropriate gifts
- Desensitization of child to touching
- Isolating or singling out child for special treatment

REACTING TO DISCLOSURE

- Remain calm
- Reassure the child
- Allow the child to tell the story
- Believe the child
- Support the child
- Report it
- DO NOT try to investigate it

Reporting Abuse

- The law requires EVERYONE to report when there is a reasonable suspicion
- You can report or CAUSE to be reported
- Report to Health and Welfare Child Protective Services or law enforcement
- Care Enough to Call brochure

STANDARDS OF BEHAVIOR

- Maintain an appropriate and trustworthy relationship between youth and adult supervisors
- Be aware of their own and others' vulnerability to inappropriate relationships
- Avoid any physical touching of minors that may reasonably be perceived as sexual in nature

Questionable Physical Touching

- inappropriate or lengthy embraces;
- kisses on the mouth;
- holding minors over two years old on the lap;
- touching bottoms, chests, legs; or genital areas;
- spanking or slapping;
- showing affection while in an isolated location;
- wrestling or tickling;
- piggyback rides;
- massages; and
- compliments that relate to physique or body development

Other Standards to Prevent Misconduct

- Avoid overnight accommodations that are shared with minors without other adults present
- Never share beds with minors other than their own children
- Exception: rare, short-term emergency situations

Other Standards of Behavior

- Behave at all times in a professional manner appropriate to their position
- Church representatives must not sexually exploit the trust placed in them by the faith community

Other standards

- Church personnel are prohibited from engaging in any sexually oriented conversations with minors
- Limited exception: educational lessons
- Such lessons must convey to youth the Church's teachings on these topics
- Church personnel are prohibited from discussing their personal sexual activities or history with minors

Church Personnel Should: The Two Person Rule

- Avoid situations where you are alone with a minor
- When it is necessary to be alone, such as when counseling or teaching a minor, meet with the minor in as public a place as reasonable under the circumstances
- In one-on-one situations, avoid physical contact

MEMORANDUM

To: Parishes and Schools
From: Bishop Mike
Re: Interpretation of Sexual Misconduct Policy – Intergenerational Events;
Regular Contact with Children; and Undocumented Workers
Date: May 26, 2004

Two issues have come up that require the Diocese to establish an additional policy for handling the requirements for criminal background checks and training for volunteers. First, parishes have sought additional clarification on what constitutes a volunteer who has regular contact with children, especially as it relates to intergenerational events such as Generations of Faith. Second, parishes have sought clarification on what they should do in the event a person is reluctant to provide the information required on the background check form, particularly because they may be an undocumented worker. The Review Board recently discussed these two issues, which I have endorsed, and recommended that the policies be interpreted as follows:

1. Regular Contact with Children, and Intergenerational Events

From time to time parishes sponsor events that involve both children and adults. Volunteers donate their time to help at these events. In addition, some parishes in the Diocese are moving to adopt a new way of looking at catechesis called “Generations of Faith.” The goal of this “whole community catechesis” is to have members of the parish sharing their faith with each other. Events of this nature are designed so that children and adults intermingle, and adults may share their faith and ideas with children other than their own in small group activities. Since the goal of this type of catechesis is to involve the entire parish in faith sharing activities, which include children, the parishes may be concerned that this means that the entire parish will be required to submit to a criminal background check, and be required to attend the Creating a Safe Environment Workshop for volunteers. Our interpretation is that the following language should be used as a guide in determining which volunteers must attend the Safe Environment workshop and submit to the background check. Our goal in offering this interpretation keeps the safety of minors foremost in our minds, but yet at the same time does not place an undue burden on parishes and schools with no corresponding benefit for the safety issues.

Intergenerational Events When parishes sponsor intergenerational events (where adults and minors are both present) the following guidelines apply:

A. All “supervising volunteers” must have a criminal background check on file, and must be responsible for adequate supervision of the interaction between adults and minors to assure a safe environment. In addition, a supervising volunteer must have attended the “Creating a Safe Environment” workshop prior to serving as a supervising volunteer at intergenerational events. A “supervising volunteer” is the person responsible for the program and for supervising any other parishioners who interact with children. For large events, adequate supervision may require more than one supervising volunteer to assure a safe environment.

B. Those who are involved in such events who have not received the education or a background check should not have unsupervised one-on-one contact with minors. If intergenerational parish activities require a volunteer to interact one-on-one with minors on a regular basis (defined for purposes of this criteria as more than two hours at a time or more than once a month) that volunteer must have a criminal background check on file, and must attend the “Creating a Safe Environment Workshop.”

C. This criteria does not apply to adults working in programs specifically designed for minors, such as youth ministry, child catechesis, youth activity or sports programs, etc. See further guidelines below.

Regular Contact with Children or Youth For programs specifically designed for children or youth, every regular volunteer would be considered a person who has “regular contact with minors” and thus would require a criminal background check and attendance at the workshop “Creating a Safe Environment.” For purposes of this paragraph only, a “regular” volunteer is defined as a person who is involved in more than one event, and thus volunteers on a regular basis.

2. Undocumented parishioners

In situations where a volunteer with regular contact with children is unable to comply with the requirements for a criminal background check because of their undocumented status, parishes may dispense with this requirement, but should use the “supervising volunteer” concept described with respect to intergenerational events above to assure a safe environment. In addition, such volunteers should still be encouraged to attend the “Creating a Safe Environment” workshop.

Charter for the Protection of Children and Young People Revised Edition

Preamble

The Church in the United States is experiencing a crisis without precedent in our times. The sexual abuse of children and young people by some priests and bishops, and the ways in which we bishops addressed these crimes and sins, have caused enormous pain, anger, and confusion. Innocent victims and their families have suffered terribly. In the past, secrecy has created an atmosphere that has inhibited the healing process and, in some cases, enabled sexually abusive behavior to be repeated. As bishops, we acknowledge our mistakes and our role in that suffering, and we apologize and take responsibility for too often failing victims and our people in the past. We also take responsibility for dealing with this problem strongly, consistently, and effectively in the future. From the depths of our hearts, we bishops express great sorrow and profound regret for what the Catholic people are enduring.

We, who have been given the responsibility of shepherding God's people, will, with God's help and in full collaboration with our people, continue to work to restore the bonds of trust that unite us. Words alone cannot accomplish this goal. It will begin with the actions we take here in our General Assembly and at home in our dioceses/eparchies.

The damage caused by sexual abuse of minors is devastating and long-lasting. We reach out to those who suffer, but especially to the victims of sexual abuse and their families. We apologize to them for the grave harm that has been inflicted upon them, and we offer them our help for the future. In the light of so much suffering, healing and reconciliation are beyond human capacity alone. Only God's grace, mercy, and forgiveness can lead us forward, trusting Christ's promise: "for God all things are possible" (Mt 19:26).

The loss of trust becomes even more tragic when its consequence is a loss of the faith that we have a sacred duty to foster. We make our own the words of our Holy Father: that sexual abuse of young people is "by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God" (Address to the Cardinals of the United States and Conference Officers, April 23, 2002).

The Conference of Bishops has been addressing the evil of sexual abuse of minors by a priest and, at its June 1992 meeting, established five principles to be followed (cf. Ad Hoc Committee on Sexual Abuse, National Conference of Catholic Bishops, *Restoring Trust*, November 1994). We also need to recognize that many dioceses and eparchies did implement in a responsible and timely fashion policies and procedures that have safeguarded children and young people. Many bishops did take appropriate steps to address clergy who were guilty of sexual misconduct.

Let there now be no doubt or confusion on anyone's part: For us, your bishops, our obligation to protect children and young people and to prevent sexual abuse flows from the mission and example given to us by Jesus Christ himself, in whose name we serve.

Jesus showed constant care for the vulnerable. He inaugurated his ministry with these words of the Prophet Isaiah:

The Spirit of the Lord is upon me, because he has anointed me to bring glad tidings to the poor. He has sent me to proclaim liberty to captives and recovery of sight to the blind, to let the oppressed go free, and to proclaim a year acceptable to the Lord. (Lk 4:18)

In Matthew 25, the Lord made this part of his commission to his apostles and disciples when he told them

that whenever they showed mercy and compassion to the least ones, they showed it to him.

Jesus extended this care in a tender and urgent way to children, rebuking his disciples for keeping them away from him: "Let the children come to me" (Mt 19:14). And he uttered the grave warning about anyone who would lead the little ones astray, saying that it would be better for such a person "to have a great millstone hung around his neck and to be drowned in the depths of the sea" (Mt 18:6).

We hear these words of the Lord as prophetic for this moment. With a firm determination to resolve this crisis, we bishops commit ourselves to a pastoral outreach to repair the breach with those who have suffered sexual abuse and with all the people of the Church. We renew our determination to provide safety and protection for children and young people in our church ministries and institutions. We pledge ourselves to act in a way that manifests our accountability to God, to his people, and to one another in this grave matter. We commit ourselves to do all we can to heal the trauma that victims/survivors and their families are suffering and the wound that the whole Church is experiencing. We acknowledge our need to be in dialogue with all Catholics, especially victims and parents, around this issue. By these actions, we want to demonstrate to the wider community that we comprehend the gravity of the sexual abuse of minors.

To fulfill these goals, our dioceses/eparchies and our national conference, in a spirit of repentance and renewal, will adopt and implement policies based upon the following.

To Promote Healing and Reconciliation with Victims/Survivors of Sexual Abuse of Minors

ARTICLE 1. Dioceses/eparchies will reach out to victims/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to the victims is for healing and reconciliation. Where such outreach is not already in place and operative, each diocese/eparchy is to develop an outreach to every person who has been the victim of sexual abuse¹ as a minor by anyone acting in the name of the Church, whether the abuse was recent or occurred many years in the past. This outreach will include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and the diocese/eparchy. In cooperation with social service agencies and other churches, support groups for victims/survivors and others affected by abuse should be fostered and encouraged in every diocese/eparchy and in local parish communities.

Through pastoral outreach to victims and their families, the diocesan/eparchial bishop or his representative will offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the "profound sense of solidarity and concern" expressed by our Holy Father in his Address to the Cardinals of the United States and Conference Officers. This pastoral outreach by the bishop or his delegate will also be directed to faith communities in which the sexual abuse occurred.

ARTICLE 2. Dioceses/eparchies will have mechanisms in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred. Dioceses/eparchies will have a competent person or persons to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused as minors by clergy or other church personnel. Dioceses/eparchies will also have a review board that functions as a confidential consultative body to the bishop/eparch. The majority of its members will be lay persons not in the employ of the diocese/eparchy (see norm 5 in *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 2002). This board will advise the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry. It will regularly review diocesan/eparchial policies and procedures for dealing with sexual abuse of minors. Also, the board can review these matters both retrospectively and prospectively and give advice on all aspects of responses required in connection with these cases. The procedures for those making a complaint will be readily available in printed form and

will be the subject of periodic public announcements.

ARTICLE 3. Dioceses/eparchies will not enter into confidentiality agreements except for grave and substantial reasons brought forward by the victim/survivor and noted in the text of the agreement.

To Guarantee an Effective Response to Allegations of Sexual Abuse of Minors

ARTICLE 4. Dioceses/eparchies will report an allegation of sexual abuse of a person who is a minor to the public authorities. Dioceses/eparchies will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation in accord with the law of the jurisdiction in question.

Dioceses/eparchies will cooperate with public authorities about reporting in cases when the person is no longer minor.

In every instance, dioceses/eparchies will advise victims of their right to make a report to public authorities and will support this right.

ARTICLE 5. We repeat the words of our Holy Father in his Address to the Cardinals of the United States and Conference Officers: "There is no place in the priesthood or religious life for those who would harm the young."

When an allegation of sexual abuse of a minor by a priest or a deacon is received, a preliminary investigation, in harmony with canon law (CIC, cc. 1717-1719; CCEO, cc. 1468-1470), will be initiated and conducted promptly and objectively. If this investigation so indicates, the diocesan/eparchial bishop will both notify the Congregation for the Doctrine of the Faith and apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473—i.e., relieve the alleged offender promptly of his ministerial duties. The alleged offender may be requested to seek, or urged voluntarily to comply with, an appropriate medical and psychological evaluation, so long as this does not interfere with the investigation by civil authorities. When the accusation has proved to be unfounded, every step possible will be taken to restore the good name of the priest or deacon.

When sexual abuse of a minor by a priest or a deacon is admitted or is established after an appropriate process in accord with canon law, the following will pertain:

- Diocesan/eparchial policy will provide that for even a single act of sexual abuse (see Article 1, note ^{*}) of a minor—past, present, or future—the offending priest or deacon will be permanently removed from ministry, not excluding dismissal from the clerical state, if the case so warrants. In keeping with the stated purpose of this Charter, an offending priest or deacon will be offered professional assistance for his own healing and well-being, as well as for the purpose of prevention.
- In every case involving canonical penalties, the processes provided for in canon law must be observed (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; cf. Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest or deacon.
- Also provided for in canon law are the following: a request by the priest or deacon for dispensation from the obligation of holy orders and the loss of the clerical state or a request by the bishop for dismissal from the clerical state even without the consent of the priest or deacon (cf. *Canonical Delicts*).
- If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced

age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb or to present himself publicly as a priest.

- At all times, the diocesan bishop/eparch has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry. Because sexual abuse of a minor is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry.

ARTICLE 6. While the priestly commitment to the virtue of chastity and the gift of celibacy is well known, there will be clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for any other church personnel in positions of trust who have regular contact with children and young people.

ARTICLE 7. Each diocese/eparchy will develop a communications policy that reflects a commitment to transparency and openness. Within the confines of respect for the privacy and the reputation of the individuals involved, dioceses/eparchies will deal as openly as possible with members of the community. This is especially so with regard to assisting and supporting parish communities directly affected by ministerial misconduct involving minors.

To Ensure the Accountability of Our Procedures

ARTICLE 8. To assist in the consistent application of these principles and to provide a vehicle of accountability and assistance to dioceses/eparchies in this matter, we authorize the establishment of an Office for Child and Youth Protection at our national headquarters. The tasks of this Office will include (1) assisting individual dioceses/eparchies in the implementation of "safe environment" programs (see Article 12 below), (2) assisting provinces and regions in the development of appropriate mechanisms to audit adherence to policies, and (3) producing an annual public report on the progress made in implementing the standards in this Charter. This public report shall include the names of those dioceses/eparchies which, in the judgment of this Office, are not in compliance with the provisions and expectations of this Charter. This Office will have staffing sufficient to fulfill its basic purpose. Staff will consist of persons who are expert in the protection of minors; they will be appointed by the General Secretary of the Conference.

ARTICLE 9. The work of the Office for Child and Youth Protection will be assisted and monitored by a Review Board, including parents, appointed by the Conference President and reporting directly to him. The Board will approve the annual report of the implementation of this Charter in each of our dioceses/eparchies, as well as any recommendations that emerge from this review, before the report is submitted to the President of the Conference and published. To understand the problem more fully and to enhance the effectiveness of our future response, the National Review Board will commission a comprehensive study of the causes and context of the current crisis. The Board will also commission a descriptive study, with the full cooperation of our dioceses/eparchies, of the nature and scope of the problem within the Catholic Church in the United States, including such data as statistics on perpetrators and victims.

ARTICLE 10. The membership of the Ad Hoc Committee on Sexual Abuse will be reconstituted to include representation from all the episcopal regions of the country.

ARTICLE 11. The President of the Conference will inform the Holy See of this Charter to indicate the manner in which we, the Catholic bishops, together with the entire Church in the United States, intend to address this present crisis.

To Protect the Faithful in the Future

ARTICLE 12. Dioceses/eparchies will establish "safe environment" programs. They will cooperate with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, and others about ways to make and maintain a safe environment for children. Dioceses/eparchies will make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to sexual abuse.

ARTICLE 13. Dioceses/eparchies will evaluate the background of all diocesan/eparchial and parish personnel who have regular contact with minors. Specifically, they will utilize the resources of law enforcement and other community agencies. In addition, they will employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (cf. National Conference of Catholic Bishops, *Program of Priestly Formation*, 1993, no. 513).

ARTICLE 14. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese/eparchy or religious province. Before a priest or deacon can be transferred for residence to another diocese/eparchy or religious province, his bishop/eparch or religious ordinary shall forward, in a confidential manner, to the local bishop/eparch and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information that he has been or may be a danger to children or young people. (Cf. National Conference of Catholic Bishops and Conference of Major Superiors of Men, *Proposed Guidelines on the Transfer or Assignment of Clergy and Religious*, 1993.)

ARTICLE 15. The Ad Hoc Committee on Sexual Abuse and the Officers of the Conference of Major Superiors of Men will meet to determine how this Charter will be conveyed and established in the communities of religious men in the United States. Diocesan/eparchial bishops and major superiors of clerical institutes or their delegates will meet periodically to coordinate their roles concerning the issue of allegations made against a cleric member of a religious institute ministering in a diocese/eparchy.

ARTICLE 16. Given the extent of the problem of the sexual abuse of minors in our society, we are willing to cooperate with other churches and ecclesial communities, other religious bodies, institutions of learning, and other interested organizations in conducting research in this area.

ARTICLE 17. We pledge our complete cooperation with the Apostolic Visitation of our diocesan/eparchial seminaries and religious houses of formation recommended in the Interdicasterial Meeting with the Cardinals of the United States and the Conference Officers in April 2002. Unlike the previous visitation, these new visits will focus on the question of human formation for celibate chastity based on the criteria found in *Pastores Dabo Vobis*. We look forward to this opportunity to strengthen our priestly formation programs so that they may provide God's people with mature and holy priests. Dioceses/eparchies will develop systematic ongoing formation programs in keeping with the recent Conference document *Basic Plan for the Ongoing Formation of priests* (2001) so as to assist priests in their living out of their vocation.

Conclusion

In the midst of this terrible crisis of sexual abuse of young people by priests and bishops and how it has been dealt with by bishops, many other issues have been raised. In this Charter we focus specifically on the painful issue at hand. However, in this matter, we do wish to affirm our concern especially with regard to issues related to effective consultation of the laity and the participation of God's people in decision making that affects their well-being.

We must increase our vigilance to prevent those few who might exploit the priesthood for their own immoral and criminal purposes from doing so. At the same time, we know that the sexual abuse of young people is

not a problem inherent in the priesthood, nor are priests the only ones guilty of it. The vast majority of our priests are faithful in their ministry and happy in their vocation. Their people are enormously appreciative of the ministry provided by their priests. In the midst of trial, this remains a cause for rejoicing. We deeply regret that any of our decisions have obscured the good work of our priests, for which their people hold them in such respect.

It is within this context of the essential soundness of the priesthood and of the deep faith of our brothers and sisters in the Church that we know that we can meet and resolve this crisis for now and the future.

An essential means of dealing with the crisis is prayer for healing and reconciliation, and acts of reparation for the grave offense to God and the deep wound inflicted upon his holy people. Closely connected to prayer and acts of reparation is the call to holiness of life and the care of the diocesan/eparchial bishop to ensure that he and his priests avail themselves of the proven ways of avoiding sin and growing in holiness of life.

By what we have begun here today and by what we have stated and agreed to,

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.

We pledge that we will devote to this goal the resources and personnel necessary to accomplish it.

We pledge that we will do our best to ordain to the priesthood and put into positions of trust only those who share this commitment to protecting children and youth.

We pledge that we will work toward healing and reconciliation for those sexually abused by clerics. We make these pledges with a humbling sense of our own limitations, relying on the help of God and the support of his faithful priests and people to work with us to fulfill them.

Above all we believe, in the words of St. Paul as cited by Pope John Paul II in April 2002, that "where sin increased, grace overflowed all the more" (Rm 5:20). This is faith's message. With this faith, we are confident that we will not be conquered by evil but overcome evil with good (cf. Rm 12:21).

This charter is published for the dioceses/eparchies of the United States, and we bishops commit ourselves to its immediate implementation. It is to be reviewed in two years by the Conference of Bishops with the advice of the National Review Board created in Article 9 to ensure its effectiveness in resolving the problems of sexual abuse of minors by priests.

* Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue (CIC, c. 1395 §2, CCEO, c. 1453 §1). Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (USCCB, *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO, c. 1453 §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, "imputability [moral responsibility] for a canonical offense is presumed upon external violation ... unless it is otherwise apparent" (CIC, c. 1321 §3; CCEO, c. 1414 §2). Cf. CIC, cc. 1322-1327, and CCEO, cc. 1413, 1415, and 1416. If there is any doubt about whether a specific act fulfills this definition, the writings of recognized moral theologians should be consulted and the opinion of a recognized expert be obtained (*Canonical Delicts*, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of

the alleged act.

The document *Charter for the Protection of Children and Young People* was developed by the Ad Hoc Committee on Sexual Abuse of the United States Conference of Catholic Bishops (USCCB). It was approved by the full body of U.S. Catholic bishops at its November 2002 General Meeting and has been authorized for publication by the undersigned.

Msgr. William P. Fay, General Secretary, USCCB

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THE GROOMING PROCESS

The following information is excerpted from the book *Identifying Child Molesters: Preventing Child Sexual Abuse by Recognizing the Patterns of the Offenders*, Carla Van Dam, PHD, The Haworth Maltreatment and Trauma Press, 2001. This book is an excellent source of information, and a summary of the research to date on the issue of identification of child molesters. It should be used with caution, however, and only with direction from qualified professionals, to avoid overreaction to some of the information in the book. The following is a brief summary of information about the grooming process.

In this summary, the molester is referred to in the male gender solely for ease of reference, given the reality that a vast majority of child molesters are male.

The Grooming Process

Generally, studies show that child molesters go through a “grooming” process, which can sometimes take months or years, in an effort to facilitate their molestations. The grooming process generally involves the following elements:

- **Sexual attraction to children:** This is a pre-existing condition in the molester, and can occur for many different reasons.
- **Justification of interest:** The molester often goes through a psychological process of justifying the attraction to children. This is described further below. Dr. Lamb described this as a process of breaking down the molester’s own psychological boundaries to allow the molestation to occur.
- **Grooming of adult community:** Often the molester will go through a process of getting the adult community that surrounds the child to accept and even welcome the molester’s involvement with the child. This is also described further below.
- **Grooming of child:** This is a process the molester goes through to break down the child’s resistance to sexual activity and to engage the child in the activity.

Justification

- This process of justifying the behavior is sometimes called neutralization. This is the psychological effort the molester goes through to justify the behavior to himself, and to break down any emotional barrier in himself which would prevent him from acting upon the sexual attraction to children.
- Denial of injury: The molester denies to himself, and perhaps to others, that any injury to the child could occur. The molester tells himself things like “This is my way of showing love to the child. I don’t want to hurt the child.” Many molesters lead themselves to believe that they are helping the child by showing love.
- Denial of victimization: The molester also denies that the child is a victim, instead choosing to view the child as actively wanting to engage in sexual activity.
- Condemnation of dissension: Many molesters actively argue against any societal view that child abuse is wrong. This is the role taken by the North American Man Boy Love Association (NAMBLA) referred to by Dr. Lamb.
- More enlightened viewpoint: Molesters will often take the position that their view is in fact the more enlightened view, as NAMBLA has done.

Grooming of the Adult Community

Child molesters will then ingratiate themselves with the adult community surrounding the child, and break down any barriers that exist to access to the child. This includes exhibiting behaviors such as:

- Friendliness
- Ingratiating activity such as doing favors, helping out when no one has asked for help, etc.
- Targeting vulnerable families, such as those with alcohol problems, or single mothers

Grooming Children

The child molester will then groom a particular child using techniques which:

- Choose the most vulnerable child
- Engage the child in peer like activities (playing with the children, playing games, etc.)
- Desensitization of child to touching (see below);
- Isolating the child (see below); and
- Making the child feel responsible and thus less likely to disclose the abuse.

A Vulnerable Child

A vulnerable child, and thus a child more likely to be a target of abuse, would have one of the following characteristics:

- Needy (and thus vulnerable to positive attention)
- Quiet (and thus less likely to tell)
- Craves attention (and thus vulnerable to attention)
- Younger (less likely to understand or tell)
- Picked on by other children (and thus needing a friend)
- Low self esteem (and thus vulnerable to the positive reinforcement of the molester)
- Trusting (and thus less likely to understand the danger)
- Compliant (and thus vulnerable to an adult telling them it is okay)
- Eager to please (vulnerable to engaging in activity if they are told it is pleasing to the adult)
- Single mother (thus the child generally needs attention and the mother is grateful for the help)
- Unsupervised (and thus vulnerable to the attention of the molester).

Desensitization

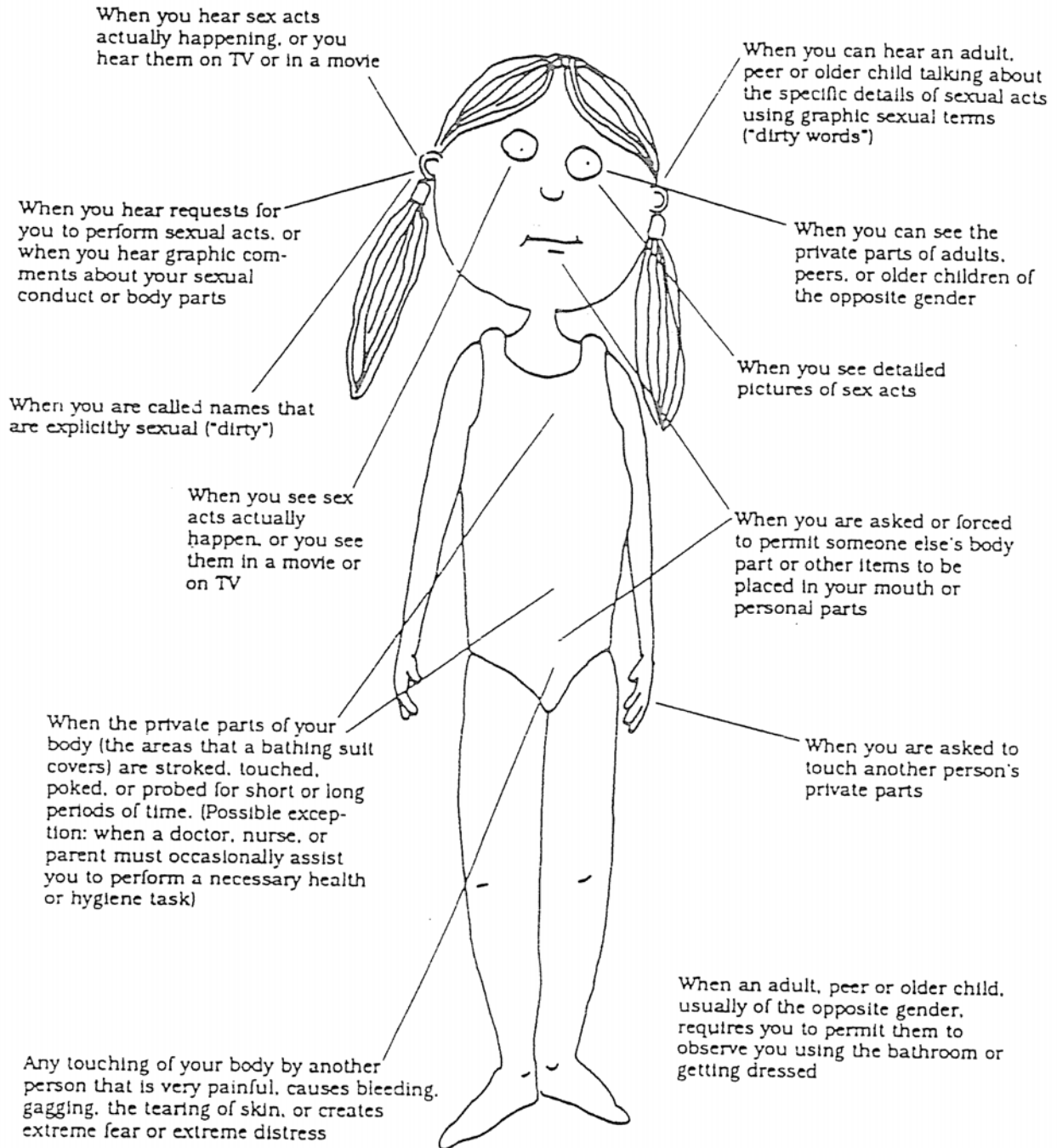
The molester will often go through a process of desensitizing the child to the touch of the molester by engaging in the following types of activity:

- Tickling games;
- Wrestling;
- Roughhousing;
- Physical-picking up, carrying child; using this to test the child's reaction to touch;
- Testing child's reaction slowly---if the child balks at the touch the molester will back off and continue the grooming process
- Testing whether child will tell---if the child tells, the molester will know to move to another child.

Of course, there may be very innocent explanations for many of the activities noted above. This list is intended only to generally describe the process of grooming that may be engaged in by a child molester.

What is Child Sexual Abuse?

*It is difficult to show you exactly what child sexual abuse looks like. Even though it's hard to show you, to help you know it if you encounter it, here is one picture of it based on the input of sexual abuse victims. If you think you have been sexually abused, or if you aren't sure, be sure to tell a family member, religious leader, counselor, teacher or principal . . .
And, keep telling until someone hears you.*



Reprinted with permission from "A Child's Guide to Surviving in a Troubled Family," by Ruth Herman Wells, MS, illustrations by Daniel C. Wells. Copyright © 1993, Youth Change. This illustration may be photocopied for use with adolescents by trained clinicians and others.

BARRIERS TO DISCLOSURE OF SEXUAL EXPLOITATION

WHY CHILDREN DON'T TELL

- ❖ Children feel responsible – as partners, not as victims
- ❖ Children fear disbelief from adults
- ❖ Children believe threats from the offender
- ❖ Children avoid disappointing adults by reporting something repulsive
- ❖ Children resist talking about “nasty things.”
- ❖ Children are taught not to “tattle.”
- ❖ Children are handicapped in knowing how to describe what has happened to them.
- ❖ Children are taught to be respectful of adults. They fear getting an adult into trouble or disobeying an adult who has requested secrecy.

BREAKING BARRIERS – WHY CHILDREN TELL

- ❖ Children tell when they come into contact with someone who appears to “already know.”
- ❖ Children tell when they come into contact with a confident person who does not appear to be judgmental, critical, or threatening.
- ❖ Children tell when they believe a continuation of the abuse will be unbearable.
- ❖ Children tell when physical injury occurs.
- ❖ Children tell if pregnancy is a threat.
- ❖ Children tell if they receive sexual abuse prevention information.
- ❖ Children tell when they come into contact with someone who may protect them.

POST-DISCLOSURE CONSIDERATIONS

Critical to successful interventions is the immediate response to the victim after a disclosure is made. Whether the victim is a child who has been exposed to pornography or an elderly woman who has been raped in the course of a robbery, the first response from another human being, post disclosure, is critically important to the rehabilitation of the victim. Guilt, shame, degradation, and frustration are common emotions that need to be addressed by the interviewer. Three basic goals in post-disclosure techniques are:

1. Encourage positive attitudes about disclosure.
2. Reassure victim regarding issues of guilt.
3. Establish a positive attitude about follow-up treatment, law enforcement interviews, or family interface.

Too often, disclosure relieves anxiety and apprehension for the interviewer, and the needs of the victims in these areas are not addressed. With very little effort and in a very short period of time the interviewer can accomplish these goals by making such statements as:

“I am glad you told me.”

“Thank you for helping me make my report.”

“What can I do to help you get through the next hour?”

“You did a good job of telling me some very difficult information.”

“There is only something wrong with the person who did this to you – there is nothing wrong with you.”

“I know this was hard for you, but you did a very good job of cooperating.”

“What has happened to you has happened to a lot of people. It is not fair, but you are not alone.”

*“I am going to help you learn the names of some people who will understand
and will help you in the next few days.”*

“Tell me some things that I can do to make you feel better.”

*“What has happened to you is wrong, and within the next few hours people are going to be talking
to you about what has happened. When you talk to these people,
please remember that you are the victim.”*

*“It is my job to make sure your body heals;
there will be lots of people who will make sure your mind heals also.”*

“I want to make sure that you will get in touch with me in a few weeks to let me know how you are doing.”

*“Tell me some things about your family that will help me understand how to explain to them what has
happened to you.”*

*“People in your family are going to be upset when they hear what has happened to you. Remember, they
are upset because something happened to you, not because you told.”*

“I am going to put you into contact with some people who will be able to help you through the next few weeks.”

The appropriate demeanor in post-disclosure is to be confident, positive, and encouraging. If the interviewer appears “traumatized” by what has happened to the victim, the victim may feel responsible and the pain will be increased. The sexual victim needs objectivity, encouragement, and a sanction to continue through whatever investigative steps need to be taken. The interviewer is in an extremely powerful position either to retard or encourage the investigative process as well as the therapeutic intervention.

THREE THINGS YOU SHOULD NEVER SAY TO AN ABUSE SURVIVOR:

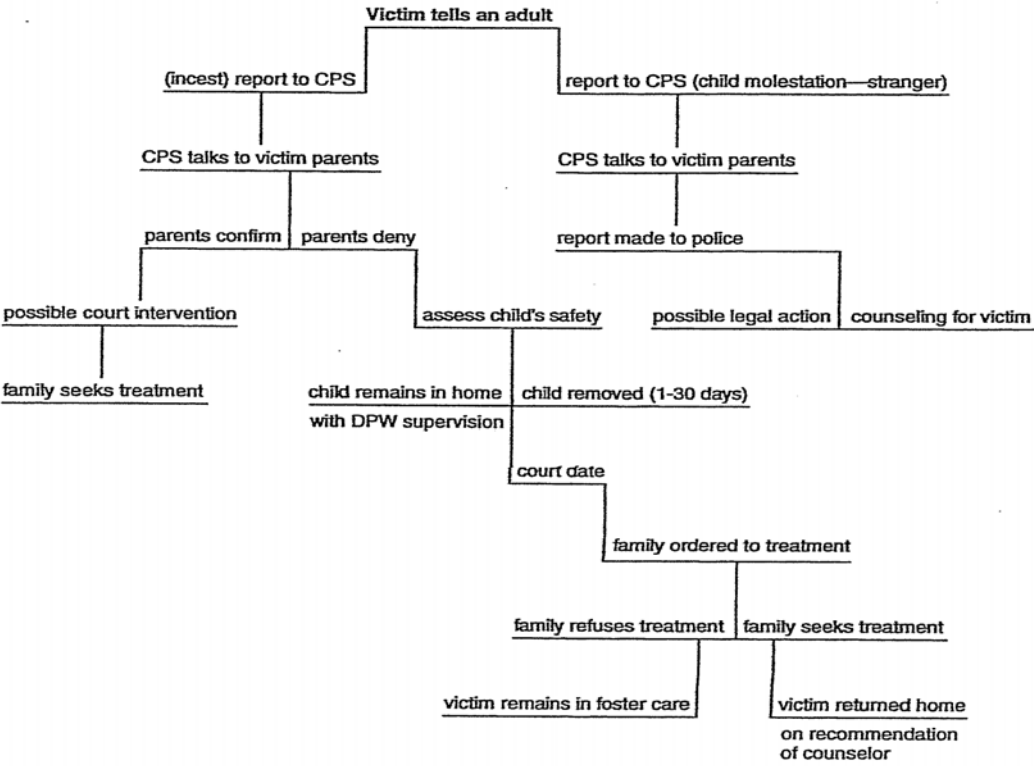
- ✓ **It was only...**
- ✓ **Put it behind you...**
- ✓ **Forgive...**

WHEN A CHILD DISCLOSES ABUSE

Tips for Handling Disclosures of Abuse

- Remain calm, this child is looking to you for support, and will be disturbed if you get excited or emotional. Remaining calm will allow the child to feel comfortable disclosing what has happened. Anger, excitement of emotion may send the message that you don't want to hear what happened, or that the child is causing problems by telling. Make sure the child knows that it is okay to tell about these things. "You did the right thing by telling me" is a good thing to say.
- Allow the child to tell the story without asking numerous questions. "Can you tell me what happened?" "What happened after you went into his house?" or similar questions that ask the child to give a narrative response are good lead ins to prompt the child to tell the story. "Where did s/he touch you that made you uncomfortable?" is a question that can be used to clarify the behavior.
- Believe the child. Do not use words that discount or discredit the child's statements. Don't say things like: "But he is a very nice man" "Are you sure you didn't misinterpret what was said or done?" "Oh, I am sure it must have been an accident." Those statements send a message that you do not believe the child, or worse, that you will defend the alleged abuser. Even if you have reservations, do not disclose them to the child. Report the allegations and let the experts decide if abuse occurred.
- If the child uses any words that imply that the child is blaming themselves (it's my fault I went there) or believes he or she is in trouble, reassure the child. The message you send is that if inappropriate behavior occurred, it is never the child's fault. You can do this without expressing an opinion, by saying: "You know, when things like this happen to children sometimes, it is never the child's fault."
- Express appreciation for the courage that it takes for a child to tell someone about abuse. "I know this was hard for you to tell about this, and I am proud of your courage in telling." "Thank you so much for telling me, I am glad you trusted me and were brave enough to tell me."
- Reassure the child that you will do everything you can to help protect them from further abuse.
- Report the abuse to Child Protective Service by calling the Idaho CareLine at 1(800)926-2588, or tell your pastor, principal, or supervisor, and make sure they report it. You can also call the Assistance Coordinator at the Diocesan Pastoral Center, (208)342-1311 to ask questions or enlist help in reporting.
- DO NOT try to investigate the allegation yourself, talk to the alleged abuser, or involve yourself in trying to gather information to assess the allegations. Leave this task to those who are experienced in such investigations. Use your energies to offer emotional support to the victim where appropriate.

What Happens When a Report Is Made¹



Idaho Statutes

TITLE 16
JUVENILE PROCEEDINGS
CHAPTER 16
CHILD PROTECTIVE ACT

16-1602. DEFINITIONS.

For purposes of this chapter:

- (1) "Abused" means any case in which a child has been the victim of:
 - (a) Conduct or omission resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling, failure to thrive or death, and such condition or death is not justifiably explained, or where the history given concerning such condition or death is at variance with the degree or type of such condition or death, or the circumstances indicate that such condition or death may not be the product of an accidental occurrence; or
 - (b) Sexual conduct, including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child.
- (2) "Abandoned" means the failure of the parent to maintain a normal parental relationship with his child including, but not limited to, reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one (1) year shall constitute prima facie evidence of abandonment.
- (3) "Adaptive equipment" means any piece of equipment or any item that is used to increase, maintain or improve the parenting capabilities of a parent with a disability.
- (4) "Adjudicatory hearing" means a hearing to determine:
 - (a) Whether the child comes under the jurisdiction of the court pursuant to the provisions of this chapter;
 - (b) Whether continuation of the child in the home would be contrary to the child's welfare and whether the best interests of the child require protective supervision or vesting legal custody of the child in an authorized agency;
 - (c) Whether aggravated circumstances as defined in section 16-1619, Idaho Code, exist.
- (5) "Authorized agency" means the department, a local agency, a person, an organization, corporation, benevolent society or association licensed or approved by the department or the court to receive children for control, care, maintenance or placement.
- (6) "Case plan hearing" means a hearing to:
 - (a) Review, approve, modify or reject the case plan; and
 - (b) Review reasonable efforts being made to rehabilitate the family; and
 - (c) Review reasonable efforts being made to reunify the children with a parent or guardian.
- (7) "Child" means an individual who is under the age of eighteen (18) years.
- (8) "Circumstances of the child" includes, but is not limited to, the joint legal custody or joint physical custody of the child.
- (9) "Commit" means to transfer legal and physical custody.
- (10) "Concurrent planning" means a planning model that prepares for and implements different outcomes at the same time.
- (11) "Court" means district court or magistrate's division thereof, or if the context requires, a magistrate or judge thereof.
- (12) "Custodian" means a person, other than a parent or legal guardian, to whom legal or joint legal custody of the child has been given by court order.

- (13) "Department" means the department of health and welfare and its authorized representatives.
- (14) "Disability" means, with respect to an individual, any mental or physical impairment which substantially limits one (1) or more major life activity of the individual including, but not limited to, self-care, manual tasks, walking, seeing, hearing, speaking, learning or working, or a record of such an impairment, or being regarded as having such an impairment. Disability shall not include transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, other sexual behavior disorders, or substance use disorders, compulsive gambling, kleptomania or pyromania. Sexual preference or orientation is not considered an impairment or disability. Whether an impairment substantially limits a major life activity shall be determined without consideration of the effect of corrective or mitigating measures used to reduce the effects of the impairment.
- (15) "Family or household member" shall have the same meaning as in section 39-6303(6), Idaho Code.
- (16) "Foster care" means twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the state agency has placement and care responsibility.
- (17) "Grant administrator" means the supreme court or any organization or agency as may be designated by the supreme court in accordance with such procedures as may be adopted by the supreme court. The grant administrator shall administer funds from the guardian ad litem account in accordance with the provisions of this chapter.
- (18) "Guardian ad litem" means a person appointed by the court pursuant to a guardian ad litem volunteer program to act as special advocate for a child under this chapter.
- (19) "Guardian ad litem coordinator" means a person or entity receiving moneys from the grant administrator for the purpose of carrying out any of the duties set forth in section 16-1632, Idaho Code.
- (20) "Guardian ad litem program" means the program to recruit, train and coordinate volunteer persons to serve as guardians ad litem for abused, neglected or abandoned children.
- (21) "Homeless," as used in this chapter, shall mean that the child is without adequate shelter or other living facilities, and the lack of such shelter or other living facilities poses a threat to the health, safety or well-being of the child.
- (22) "Law enforcement agency" means a city police department, the prosecuting attorney of any county, state law enforcement officers, or the office of a sheriff of any county.
- (23) "Legal custody" means a relationship created by court order, which vests in a custodian the following rights and responsibilities:
 - (a) To have physical custody and control of the child, and to determine where and with whom the child shall live.
 - (b) To supply the child with food, clothing, shelter and incidental necessities.
 - (c) To provide the child with care, education and discipline.
 - (d) To authorize ordinary medical, dental, psychiatric, psychological, or other remedial care and treatment for the child, including care and treatment in a facility with a program of services for children; and to authorize surgery if the surgery is deemed by two (2) physicians licensed to practice in this state to be necessary for the child.
 - (e) Where the parents share legal custody, the custodian may be vested with the custody previously held by either or both parents.
- (24) "Mental injury" means a substantial impairment in the intellectual or psychological ability of a child to function within a normal range of performance and/or behavior, for short or long terms.
- (25) "Neglected" means a child:
 - (a) Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them; provided, however, no child whose parent or guardian chooses for such child treatment by prayers through spiritual means alone in lieu of medical treatment, shall be deemed for that reason alone to be neglected or lack parental care necessary for his

health and well-being, but further provided this subsection shall not prevent the court from acting pursuant to section 16-1627, Idaho Code; or

(b) Whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child and, as a result of such inability, the child lacks the parental care necessary for his health, safety or well-being; or

(c) Who has been placed for care or adoption in violation of law.

- (26) "Permanency hearing" means a hearing to review, approve, reject or modify the permanency plan of the department, and review reasonable efforts in accomplishing the permanency plan.
- (27) "Permanency plan" means a plan for a continuous residence and maintenance of nurturing relationships during the child's minority.
- (28) "Protective order" means an order created by the court granting relief as delineated in section 39-6306, Idaho Code, and shall be for a period not to exceed three (3) months unless otherwise stated herein. Failure to comply with the order shall be a misdemeanor.
- (29) "Protective supervision" means a legal status created by court order in neglect and abuse cases whereby the child is permitted to remain in his home under supervision by the department.
- (30) "Residual parental rights and responsibilities" means those rights and responsibilities remaining with the parents after the transfer of legal custody including, but not necessarily limited to, the right of visitation, the right to consent to adoption, the right to determine religious affiliation, the right to family counseling when beneficial, and the responsibility for support.
- (31) "Shelter care" means places designated by the department for temporary care of children pending court disposition or placement.
- (32) "Supportive services," as used in this chapter, shall mean services which assist parents with a disability to compensate for those aspects of their disability which affect their ability to care for their child and which will enable them to discharge their parental responsibilities. The term includes specialized or adapted training, evaluations or assistance with effectively using adaptive equipment and accommodations which allow parents with a disability to benefit from other services including, but not limited to, Braille texts or sign language interpreters.

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Idaho Statutes

TITLE 16
JUVENILE PROCEEDINGS
CHAPTER 16
CHILD PROTECTIVE ACT

16-1605. REPORTING OF ABUSE, ABANDONMENT OR NEGLECT.

(1) Any physician, resident on a hospital staff, intern, nurse, coroner, school teacher, day care personnel, social worker, or other person having reason to believe that a child under the age of eighteen (18) years has been abused, abandoned or neglected or who observes the child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect shall report or cause to be reported within twenty-four (24) hours such conditions or circumstances to the proper law enforcement agency or the department. The department shall be informed by law enforcement of any report made directly to it. When the attendance of a physician, resident, intern, nurse, day care worker, or social worker is pursuant to the performance of services as a member of the staff of a hospital or similar institution, he shall notify the person in charge of the institution or his designated delegate who shall make the necessary reports.

(2) For purposes of subsection (3) of this section the term "duly ordained minister of religion" means a person who has been ordained or set apart, in accordance with the ceremonial, ritual or discipline of a church or religious organization which has been established on the basis of a community of religious faith, belief, doctrines and practices, to hear confessions and confidential communications in accordance with the bona fide doctrines or discipline of that church or religious organization.

(3) The notification requirements of subsection (1) of this section do not apply to a duly ordained minister of religion, with regard to any confession or confidential communication made to him in his ecclesiastical capacity in the course of discipline enjoined by the church to which he belongs if:

- (a) The church qualifies as tax-exempt under 26 U.S.C. section 501(c)(3);
- (b) The confession or confidential communication was made directly to the duly ordained minister of religion; and
- (c) The confession or confidential communication was made in the manner and context which places the duly ordained minister of religion specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine. A confession or confidential communication made under any other circumstances does not fall under this exemption.

(4) Failure to report as required in this section shall be a misdemeanor.

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Idaho Statutes

TITLE 16
JUVENILE PROCEEDINGS
CHAPTER 16
CHILD PROTECTIVE ACT

16-1606. IMMUNITY. Any person who has reason to believe that a child has been abused, abandoned or neglected and, acting upon that belief, makes a report of abuse, abandonment or neglect as required in section 16-1605, Idaho Code, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any such judicial proceeding resulting from such report. Any person who reports in bad faith or with malice shall not be protected by this section. Any privilege between husband and wife, or between any professional person except the lawyer-client privilege, including but not limited to physicians, counselors, hospitals, clinics, day care centers and schools and their clients shall not be grounds for excluding evidence at any proceeding regarding the abuse, abandonment or neglect of the child or the cause thereof.

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How can you get more information?

Call Idaho CareLine at 1-800-926-2588

CareLine will connect you with someone who will listen and document your concerns.



Developed by the Governor's Task Force on Children at Risk www2.state.id.us/dhw/CARTF

Paid for by Children's Justice Act Federal Grant

January 2003

CARE ENOUGH TO CALL

Report Child Abuse and Neglect



Children have the right to be safe and have their basic needs met.

Yet, thousands of Idaho children suffer from abuse or neglect each year.

Care enough to keep children safe. Call and report your concerns.

Idaho CareLine
1-800-926-2588

WHEN DO YOU CALL?

Idaho law requires you to call whenever you have reason to believe that a child under the age of 18 has been abused, neglected, or abandoned. Idaho Code Sec. 16-1619

Physical Abuse means harming a child in a way that leaves physical marks or injuries.

Call When You See A Child With...

- Injuries such as bruises, welts, cuts, bite marks, or broken bones with no appropriate explanation.
- Burns or bruises that look like the object with which they may have been inflicted.
- Clothing too warm for the season which may hide injuries to arms or legs.
- A pattern of repeated injuries.
- A disclosure that he or she was hurt by an adult.

Sexual Abuse is the use of a child in a sexual way. It may be sexual touching, molestation, incest, rape, or taking pictures of a child for obscene or pornographic purposes.

Call When a Child Has Told You...

- They have been touched in a private place.
- About having to play "games" the child doesn't like.
- They have to keep something a secret.
- That someone will be hurt if they tell the secret.

Neglect is when children are not getting the care and protection they need.

Call When a Child...

- Is young and is left alone.
- Lives in a house where health or safety hazards are present.
- Has no home or emergency shelter.
- Has nothing to eat and the child appears hungry and underweight.



How much do you care?

Frequently Asked Questions

Who is required to call?

Everyone. This includes doctors, hospital



Please call.

residents, therapists, interns, nurses, coroners, school teachers, daycare providers, social workers, relatives, friends, and private citizens.

Who do you call?

A report must be made to your local law enforcement agency such as the police or sheriff's office or to the Department of Health and Welfare, Children and Family Services (CFS).

What if you are not sure it's abuse?

Call and let the Department of Health and Welfare or law enforcement decide if they have enough information to respond. You need not be prepared to prove that abuse or neglect has occurred before making a report.

How soon do you call?

You must call and report within 24 hours of becoming aware of the abuse or neglect.

Will the family find out you called?

Every reasonable effort is made to maintain confidentiality of an individual who reports child abuse or neglect. However, sometimes the family can figure out who called.

What happens after you call?

- Someone from CFS or the police, or both, will evaluate the situation to determine if there are current and ongoing safety issues for the child.
- CFS will work with the family to try to create a plan so the child can stay safely in his/her home.
- If a child's safety cannot be ensured with a safety plan, the child may be removed from his/her home by law enforcement or the court.
- If a child is removed from their home, CFS is required to work with the child and family toward the child's safe return home.



Don't be afraid to call!

When you call, what information will be helpful?

- Child and family's names, address, and phone number.
- Current location of the child and if they are in immediate danger.
- Description of any injury to the child and when and where the incident occurred.



Will you call?

- Names of people who may also have information.
- Explanation of your concerns regarding the child's safety.
- Any additional information you have about the child, family, or caregivers that may be helpful.
- Your name, address, phone number, and relationship to the child. You can choose to make an anonymous report.

What if you don't call?

Failure to call may mean that a child is hurt. In Idaho, it is a misdemeanor if you fail to report child abuse, neglect, or abandonment.

Can you get in legal trouble for calling?

Reports of child abuse or neglect made in "good faith" and without "malice" are immune from civil liability. It is a crime to intentionally make a false report. Idaho Code Sec. 16-1620



The Importance of Early Detection

If children are identified when they show the earliest sign of abuse or neglect, help can be made available when problems can be more readily resolved. Too often referrals to protective services are not made until the conditions of abuse or neglect become severe or life-threatening.

Call Idaho CareLine at
1-800-926-2588

BOUNDARY GUIDELINES

Those involved in ministry with young people must always be mindful of the balance between appropriate boundaries in our relationships with young people and the relational character of youth ministry.

Richard M. Gula, S.S. in his book, *Ethics in Pastoral Ministry*, published by Paulist Press, provides the following elements in a proposed code of ethics on pages 149, 150, and 151:

- We have a responsibility to witness in all relationships the chastity appropriate to our state in life, whether celibate, married, or single.
- We must avoid any covert or overt sexual behaviors with those for whom we have a professional responsibility. This includes covert or overt seductive speech or gestures as well as physical contact that sexually abuses, exploits, or harasses another person.
- We are to provide a safe place for young people where they can be assured that sexual boundaries will not be violated.
- We should be aware of our own and another's vulnerability in regard to sexuality, especially when working alone with another.
- We bear the greater burden of responsibility for maintaining sexual boundaries in a pastoral relationship, for we hold greater power.
- We must not initiate sexual behavior, and must refuse it even when another invites or consents to it.
- We must give preference to the perspective and judgment of those who are vulnerable and dependent on us in order to determine whether touching would be an appropriate expression of pastoral care.
- We must show prudent discretion before touching another person, since we cannot control how physical touch will be received. That is, we are to take into account how age, gender, race, ethnic background, emotional condition, prior experience, and present life situation all affect how our touching may be received and interpreted.
- We should become familiar with the dynamics of transference and counter transference, which can make us vulnerable to violating sexual boundaries.
- We strive for greater self-awareness in order to recognize the sexual dynamics at work for us in pastoral relationships and to heed the warning signs in our lives, which indicate when we are approaching boundary violations.
- We should satisfy our needs for affection, intimacy, attraction, and affirmation outside the pastoral relationship.
- We should seek supervision or other professional help to remain focused on our professional responsibilities and to hold firm to the sexual boundaries of the pastoral relationship.
- We must report clear violations of sexual conduct to the appropriate ecclesial and civil authorities, and then do what we can to see that justice is done for the victim, the offender, and the community from which the victim and minister come.
- We must intervene when there is evidence of the abuse of children, the elderly, or the disabled. When it is necessary to avert a serious threat of harm to another, justice requires that we make a reasonable attempt to elicit voluntary disclosure, but if disclosure is not made and permission to disclose is not granted, then we should inform only those who need to know and tell them only what they need to know in order to avert harm.

PROGRAM GUIDELINES

In youth ministry there are several practical guidelines that enable ministers to be pastoral and that ensure both the safety of their young people and their own protection from allegations.

- In youth ministry programs and gatherings, there is always a good ratio of adults to young people. Most often this would be 8 youth to 1 adult. More adults are usually necessary for overnight events or trips.
- Adults never buy alcohol, drugs, cigarettes, videos, or reading material that is inappropriate and give it to young people.
- A “buddy system” of a young person with another young person on trips is a good safety requirement.
- It is never appropriate for an adult to share a bed with young people when on a trip and sharing a bedroom, other than a dormitory style room, should always be avoided.
- If a young person is uncomfortable with a hug, then adults should not hug or ridicule that young person.
- Youth ministers and all adults always meet with young people in areas that are visible and accessible.
- Criminal background checks and references on volunteers are some of the tools that ensure the quality of adults working with our young people. Check diocesan requirements concerning criminal background checks and the use of volunteer covenants.
- It is always a safe practice to have two adults in the area where youth are present.
- One-on-one meetings with a young person are best held in a public area, or if that is not appropriate, then the door to the room is left open, and someone on the parish staff is notified about the meeting.
- Driving alone with a young person should be avoided.
- Be proactive in identifying young people who may be vulnerable or at risk for unhealthy relationships. Youth ministers can have a very positive influence on young people by sharing the message of how important youth are in God's eyes, and that they are created with dignity. This can reduce the possibility of them falling into the traps of those who tell them love is just "physical".

WHAT CAN I DO?

Appropriate affection between Church personnel and minors

- Side hugs
- Shoulder to shoulder hugs
- Pats on the back or shoulder
- Handshakes
- “High-fives” or 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

WEB SITES WITH INFORMATION ON CHILD SEXUAL ABUSE

Roman Catholic Diocese of Boise:

<http://www.catholicidaho.org/CYAP.cfm>

BACKGROUND INFORMATION ON THE ISSUE OF CHILD SEXUAL ABUSE

The US Council of Catholic Bishops has released a comprehensive report on all aspects of Child Sexual Abuse, the statistics, and the origins of the problem, which is worth reading for background information of all types. It is called: "[Child Sexual Abuse: A Review of the Literature](#)" and can be found at a link on the home page at:

<http://www.nccbuscc.org>

Other overviews on Child Sexual Abuse:

Child Sexual Abuse

<http://childlures.org/research/coreproblem.asp>

A Profile of the Child Molester

<http://www.childlures.org/research/molester.asp>

Reports and Statistics

<http://www.childlures.org/research.statistics.asp>

A 21st Century Model for Prevention

<http://www.chillures.org/research/model21.asp>

Child Abuse Research and Statistics

<http://www.prevent-abuse-now.com/stats.htm>

Child Abuse: Statistics, Research, and Resources(2003)

<http://www.jimhopper.com/abstats/>

The US Department of Justice (www.doj.gov) also has published online a number of reports which contain background statistics on all kinds of crimes against children. One of the more relevant reports include:

Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident and Offender Characteristics

Other government reports include:

Juvenile Justice Bulletin—May 2001—Child Abuse reported to the police, published at

http://www.ncjrs.org/html/ojdp/jjbul2001_5_1/contents.html

Child Maltreatment 2001

Published by the U.S. Department of Health and Human Services, Children's Bureau (this is the NCANDS reporting system noted in Dr. Leah Lamb's statistics)

National Clearinghouse on Child Abuse and Neglect Information

<http://www.calib.com/nccanch/pubs>

(includes prevention resources, prevention programs, the costs of not preventing abuse, federal funding resources, etc.)

INFORMATION FOR PARENTS

Warning Signs of Possible Abuse:

<http://www.saferchild.org/signs-ph.htm>

Molestation Signs

<http://missingkids.com/missingkids>

Talking to Kids About Sexuality and Abuse:

Teach, Listen, Believe, Respond

<http://www.saferchild.org/listen.htm>

About the Human Body:

<http://saferchild.org/body.htm>

Teaching Your Child:

<http://www.saferchild.org/teach.htm>

Molestation Prevention

<http://missingkids.com/missingkids>

Tips for Safeguarding Your Child

<http://www.childlures.org/parents/tips.asp>

Child Lures Parent Guide

<http://www.childlures.org/parents/guide.asp>

Responding to disclosure of abuse

Molestation Disclosure

<http://missingkids.com/missingkids>

ADVOCACY AGAINST CHILD ABUSE

Campaign Against Child Sexual Exploitation; Sex Offender profiles; Molestation Resources

<http://missingkids.com/missingkids>

Child Lures Community Plan

<http://www.childlures.org/community/index.asp>

JOHN JAY STUDY ON NATURE AND SCOPE OF CLERGY SEXUAL ABUSE OF MINORS



Providing the Safest Possible Environment for Children By Bishop Michael Driscoll

On Feb. 27, The National Review Board plans to release an unprecedented study that covers the period between 1950 and 2002 looking at the nature and scope of the problem of sexual abuse of minors by Catholic clergy in the U.S.

The study is unprecedented because there is no comparable study of any other profession that examines this societal problem of child sexual abuse. Even though there is a risk of further associating the Catholic priesthood with the sexual abuse of minors, my brother bishops and I made the decision to ask the National Review Board to commission this study by the John Jay College of Criminal Justice, New York City. We needed to make sure we have a clear picture of the problem in the U.S. Catholic Church. We regret that any child or young person was ever abused by someone working in the name of the church. We also want to do all in our power to cleanse the church, to restore trust and to protect children and young people.

The facts provided by the Diocese of Boise for the John Jay Study show that 12 clergy members, out of a total of 422 clergy present in Idaho in the 52-year time frame were accused of credible allegations of child sexual abuse. Of those 12 priests, five were diocesan priests, six were priests from other dioceses or religious order priests who came to the state for a limited period of time, and one was a seminarian who was later ordained in another diocese before the allegations surfaced.

None of 12 accused priests remain in ministry in any capacity. Of the five diocesan priests who were involved, three are deceased. Of the two living diocesan priests, one priest is ten years retired, lives in another state, has agreed to never again exercise his priestly role in public and has committed himself to a life of prayer and penance. The diocese where this man lives has been notified by the Diocese of Boise of these restrictions. The other diocesan priest resigned over 10 years ago, immediately after an accusation, left the priesthood and moved to another state. The diocese where he resides has also been notified of the allegations.

Although victims have continued to come forward, most of the incidents involving these priests happened many years ago. Of the 21 incidents reported, two occurred in the 1950s, two in the 1960s, 11 in the 1970s and five in the 1980s. The last known incident took place in 1996.

The Diocese of Boise has taken a pastoral approach with the victims, offering them counseling, pastoral and spiritual assistance, and medical treatment where necessary. The diocese has paid for counseling or medical treatment costs for 11 victims.

As far as we can determine, the Diocese of Boise has paid approximately \$140,000 over the last 52 years for counseling, medical treatment, one settlement and legal expenses. The money has come from a variety of sources including insurance and investments. The diocese has taken steps to assure that no parish or Idaho Catholic Appeal donations are used to pay expenses from sexual abuse claims.

The Diocese of Boise has taken a proactive, zero tolerance approach to the problem of sexual abuse of minors by clergy and other church personnel for many years now and has worked to bring the healing ministry of the church to victims. The first written Sexual Misconduct Policy was promulgated in the diocese in January 1999. We updated that policy in 2000 and strengthened it further last year.

As a diocese, we continue to strengthen our response to child sexual abuse through prevention efforts such as background checking, establishment of clear standards of conduct and accountability and through training for all those involved in ministry.

In accordance with the steps outlined in the U.S. bishop's "Charter for Protection of Children and Young People," which we adopted in 2002 in Dallas, the Diocese of Boise has appointed a victim assistance coordinator. We have expanded our Review Board for Sexual Misconduct to include more lay people and non-diocesan employees whose expertise enhances the purpose of the board.

We have given safe environment training to diocesan employees and are doing the same for volunteers who work with children in our parishes and schools. Implementation of safe environment programs for parents and children are also planned.

We are also making sure that our screening of men who want to become priests and deacons will eliminate, to the extent humanly possible, those who would harm children and young people.

When the Gavin Group recently released the audit of all dioceses in the U.S., the Diocese of Boise was found in full compliance with the steps outlined in the U.S. Bishops' Charter for the Protection of Children and Young People.

IDAHO CATHOLIC REGISTER, FRIDAY, FEBRUARY 20, 2004, PAGE 4

Prayer for Healing for Victims of Abuse

Praise to you, Father of our Lord Jesus Christ,
source of all consolation and hope.

By your Son's dying and rising
He remains our light in every darkness,
our strength in every weakness.

Be the refuge and guardian
of all who suffer from abuse and violence.
Comfort them and send healing
for their wounds of body, soul and spirit.

Rescue them from bitterness and shame
and refresh them with your love.
Heal the brokenness
in all victims of abuse,
and revive the spirits of all who lament this sin.

Help us to follow Jesus
in drawing good from evil, life from death.
Make us one with you in your love for justice
as we deepen our respect for the dignity of every human life.

Giver of peace,
make us one in celebrating your praise,
both now and forever. Amen.