

**Archdiocesan Case Review Board Final Report Recommendations**  
**Archbishop Brunett's Response**  
**September 30, 2004**  
**Revised and Updated Response**  
**November 2010**

In addition to fulfilling its mandate to review specific allegations of child sexual abuse of a minor by clergy, the former Archdiocesan Case Review Board made other recommendations in 2004 to Archbishop Brunett. The current Archdiocesan Review Board has reviewed the Archdiocese's efforts in responding to these recommendations and an update on those responses follows. The statements in bold are the original 2004 recommendations.

- 1. In those cases where molestation allegations have been made against priests who have left the archdiocese but not the priesthood, a review of those files should be promptly conducted and, where appropriate, laicization should be pursued.**

The Archbishop has reviewed all cases where priests, against whom allegations of clergy sexual abuse have been made, have left the archdiocese but not the priesthood and has sought and achieved laicization in each case.

- 2. The Archbishop should require all religious orders, as a condition of practicing in this Archdiocese, to refer all allegations of sexual abuse of minors to this Board or an equivalent within the order. The religious order will agree to remove a member of the order from the ministry when an accusation is made and will agree to keep the Archbishop informed of any further action on that religious member's case. Board findings will be forwarded to the appropriate official within the order for further action, including discipline. The order would agree to abide by the Archbishop's decision as to when a member of a religious order, against whom an accusation has been made, can return to ministry in the archdiocese and under what conditions he deems appropriate. Further, the procedures for publication of the names of members of a religious order against whom accusations have been made will be the same as for diocesan clergy.**

The Archbishop supports this recommendation since it is consistent with current archdiocesan practice, canon law and most elements have been in place for a number of years. All archdiocesan policies and procedures have been applied to any Religious Order priests who have served in an archdiocesan assignment and against whom an allegation of child sexual abuse has been made. Should an accusation be made against a religious order priest in a current archdiocesan assignment, he would immediately be removed from ministry in the Archdiocese, the civil authorities would be notified, the complainant would be offered

counseling, and an investigation would be conducted. The religious superior would be notified and the Order's cooperation sought. If necessary, the Archbishop would enter into dialogue with the superior to ensure cooperation.

National protocols have been established to ensure that no instance of previous child sexual abuse by a Religious Order priest is concealed from a diocesan bishop. National networks are now in place throughout the United States that report Religious Order priests who have offended.

There are Religious Order priests who serve in the Archdiocese not by virtue of an archdiocesan assignment, but in an institution overseen by the religious order (colleges, high schools, hospitals, etc.). The Conference of Major Superiors of Men has established policies and protocols similar to the USCCB Charter and Norms.

The Archbishop continues in dialogue with the Superiors of Religious Orders who have institutions operating in the Archdiocese to ensure their compliance with these national norms and that their policies are consistent with the Case Review Board's recommendation.

**3. We recommend that there be conducted a review of Priest Personnel Department policies and procedures by medical and personnel experts, and canon and civil lawyers to set up protocols for file creation and preservation.**

The priest personnel files are in the process of being reorganized. A file prototype has been created in accord with generally accepted personnel filing guidelines and shared with the current Archdiocesan Review Board. Each priest file is being reorganized in accord with the established prototype. As of November 2010, this project is approximately 80% completed for Archdiocesan priests. The remainder of Archdiocesan priest files, as well as extern and deacon files, should be completed within the next 12 months depending on personnel availability.

In addition, an extensive records survey is being conducted that includes all documentation regarding clergy. This project that is scheduled to be completed in [Spring of 2011](#) and will result in a retention schedule based on generally acceptable Records Management principles and legal requirements. Clergy files are currently treated as permanent files and no records destruction is allowed.

**4. It should be an established policy that investigations of allegations of abuse will not rely on mental health professional's opinions and use only qualified mental health professionals to provide assessment, diagnosis and treatment of mental health recommendations / treatment.**

For almost ten years investigations have been conducted exclusively by an

independent professional investigator. Criteria for qualified health professionals were developed by the current Archdiocesan Review Board in 2008:

- A. Evaluators should possess professional licenses that include: CSOTP (Washington Certified Sex Offender Treatment Provider) and LMHC (Licensed Mental Health Counselor) or licensed psychologist. The experience of the evaluator ought to be in the assessment of paraphilias, criminal conduct, as well as general mental health.
  - B. Evaluators should utilize, in addition to interview and paper-and-pencil testing, available collateral information (e.g. additional interview, police reports, prior treatment notes or assessments) and polygraph examinations, at the very least. In significant cases in which denial is prominent, the Archdiocese would also want to look at the use of plethysmograph assessment and more structured (hence defensible) risk assessments.
  - C. Evaluators must have sensitivity to the Catholic faith tradition and spiritual issues in general and possibly the particular ethnic background of the subject.
  - D. Interview areas for the evaluations should include inquiries into multiple psycho-social issues such as: family of origin and attachment difficulties; schooling; juvenile antisocial behaviors; sexual history; current sexual functioning; romantic/marital relationships; substance use; employment; adult antisociality; emotional regulation difficulties, and any presence of documented pathology. For risk assessment purposes, the current wisdom is to weave through all this information and pay attention to the static (historic) and dynamic (current/changeable) risk (criminogenic) factors.
- 5. Review seminary training to include explicit attention to human sexuality, methods for addressing sexual desire, and signs of risk for breaking vows of celibacy or engaging in sexual misconduct. "Fitness for duty" types of mental health evaluations should also be considered.**

This recommendation continues to be consistent with current diocesan practice. In 1984, a comprehensive national study of seminaries was conducted by the USCCB which addressed these issues. The Seminarian Office together with the Seminarian Review Committee utilizes several instruments to screen potential seminarians in accordance with the USCCB study. The current Archdiocesan Review Board met with Vicar for Clergy and Seminarian Office leadership to review current practices.

Initial screening upon application includes CICS background checks, psychological evaluations, two separate one-on-one interviews, reference checks (including feedback from pastor and employer), autobiographical essays and a formal panel interview. As the candidate moves forward, his progress is monitored through

in-person meetings with seminary faculty, evaluations from pastoral supervisors, clinical pastoral education evaluation and regular (each three years and before ordination) background checks.

**6. Complaints of parishioners should receive more consideration and appropriate mediative services provided that could serve to prevent further, more serious, problems from developing as well as provide the parishioners with an assurance that they will be heard.**

A comprehensive complaints protocol has been developed and was promulgated in 2007 as part of the updating of *Many Gifts, One Spirit: Pastoral and Sacramental Policies of the Archdiocese of Seattle* (cf. Appendix D under Priestly Ministry Policies, page 57)

[http://www.seattlearch.org/NR/rdonlyres/D853CD9E-A4B4-48FC-848B-1CBC68E16857/17032/PriestlyMinistry\\_Rev\\_1108.pdf](http://www.seattlearch.org/NR/rdonlyres/D853CD9E-A4B4-48FC-848B-1CBC68E16857/17032/PriestlyMinistry_Rev_1108.pdf)

**7. Develop a more formal process to address sexual abuse of adults by priests.**

A comprehensive protocol has been developed and was promulgated in 2007 as part of the updating of *Many Gifts, One Spirit: Pastoral and Sacramental Policies of the Archdiocese of Seattle* (cf. Appendix D under Priestly Ministry Policies, page 60).

[http://www.seattlearch.org/NR/rdonlyres/D853CD9E-A4B4-48FC-848B-1CBC68E16857/17032/PriestlyMinistry\\_Rev\\_1108.pdf](http://www.seattlearch.org/NR/rdonlyres/D853CD9E-A4B4-48FC-848B-1CBC68E16857/17032/PriestlyMinistry_Rev_1108.pdf)

**8. Release the names of all priests found to have sexually abused minors.**

In 2003 and 2004 the Case Review Board evaluated 13 cases of clergy child sexual abuse and made recommendations to the Archbishop regarding the disposition of the accused priests. The Archbishop forwarded to the Vatican for final determination those cases determined to be credible by the review board.

Under provisions of the Charter and Norms, three cases were deemed not credible by the Case Review Board. The Vatican decided a fourth case did not involve sexual abuse of a minor.

Of the remaining nine cases, the Vatican laicized two priests (John Cornelius and George Barry Ashwell). A third accused individual (David Jaeger) requested laicization which was granted. Six others were permanently barred from public ministry and prohibited from presenting themselves as priests (Dennis Champagne, James Gandrau, David Anthony Linehan, James McGreal, Patrick Desmond McMahon and Gerald Moffat).

Since this time, all cases deemed credible have been released publicly.

- 9. The Archbishop should meet with the victims of the accused priest after his decision. It may be helpful, at least with some victims, that a victim advocate be present for those meetings.**

This recommendation is consistent with current and past diocesan practice. The Archbishop extends an invitation to each and every victim of child sexual abuse and their families to meet with him so that he might express his pastoral and personal care and concern and extend on behalf of the Church his apology. Many individuals and their families have met with the Archbishop over the last decade. Prior to the public announcement of the final disposition of a priest's case by the Vatican, every effort is made to reach out to the victims of that priest to extend pastoral care, including meeting with the Archbishop. The Archbishop has been and remains open to meeting with any victim and their families, including those who have brought forth litigation, to support the healing process for both the victim and the Church.

- 10. The Archdiocese compliance program should be reviewed by a competent professional to make sure it is updated consistent with civil and canon law. The compliance program should include but not be limited to:**

An annual audit is conducted by the USCCB utilizing an independent audit firm (the Gavin Group).

- **A Code of Conduct and supporting procedures which are reasonably capable of reducing the prospect illegal behavior.**

A Code of Conduct has been developed and is available at:  
<http://www.seattlearch.org/sep/PDFs/CodeOfConduct2009l.pdf>

- **The appointment of a high level employee to have overall responsibility to supervise compliance with the Code and procedures.**

Dennis O'Leary, Special Assistant to the Archbishop and Delegate for Chancery Operations and Pastoral Planning, has been fulfilling this responsibility for several years together with a team of senior Chancery management officials. In addition, the position of Archdiocesan Compliance Officer was created several years ago to conduct onsite audits of parishes and schools.

- **Effective communication of the Code and procedures to all employees and other agents including:**
  - i. **Training programs;**
  - ii. **Effective, practical publication(s), and**
  - iii. **Signed certificate of compliance on an annual basis.**

The communication of the Code, procedures, training programs, publications and signed certification has been systematized for several years under the management of the Archdiocesan Safe Environment Program Coordinator and local coordinators in each parish.

- **Taking reasonable steps to achieve compliance with the standards, including:**
  - i. **Creating monitoring and auditing systems;**
  - ii. **Establishing a reporting system for employees and others including the use of hotlines;**
  - iii. **Keeping a record of all compliance efforts.**

Compliance is regularly monitored by the Archdiocesan Compliance Officer and audited by the USCCB annual audit. The reporting systems and use of hotlines and record keeping continue to be in full force.

- **Consistently enforcing the Code, including discipline.**

The Archbishop has acted consistently, decisively, and with immediacy when such cases arise.

**11. The Board or some other comparable entity should exist to periodically review all cases of priests who have been removed from active ministry or who have been subject to investigations for sexual misconduct behavior. This Board or other entity should receive and review reports from the relapse prevention specialists or mental health professionals and make recommendations about notification of parishes, restriction on practice and any other relevant procedures intended to ensure protection of parishioners.**

Because of the uniqueness of each situation, the Archbishop deals with this type of misconduct on a case by case basis. In unusual situations, he will often review the situation with the Archdiocesan Review Board because of the expertise of its membership even though such cases do not fall within the board's mandate.

**Other Recommendations:**

The Case Review Board Final Report, while including recommendations regarding specific cases and the recommendations noted above, also included the board's personal reflections based on their experience and the cases reviewed regarding two areas: "Zero Tolerance" and a "Reflection on Why." These reflections address aspects of policy that are outside the domain of our local Archdiocese and were forwarded to the National Review Board and the Office for the Protection of Youth and Young Adults. While these reflections represent the discussions by this local Board based upon their experience of examining the thirteen cases remanded to them (dating from the mid 1950s to 1986), it is recommended that those interested in these subjects read the full report of the National Review Board found at [www.usccb.org/nrb/nrbstudy/nrbreport.pdf](http://www.usccb.org/nrb/nrbstudy/nrbreport.pdf) to gain the insights of the comprehensive study of these issues conducted at a national level. These findings are somewhat at variance with the Case Review Boards findings particularly in regard to the root causes of sexual abuse of minors by clergy and the role of celibacy. The National Review Board provides a more thorough and balanced exploration of the subject as well recommendations that are based upon national research.

