News



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A Catholic watchdog group is challenging the U.S. bishops to make "substantial revisions" to their nearly two-decade-old policies regarding sexual abuse of minors, and to include abuse survivors and the laity in the process.

Among seven reforms to the guiding documents — the 2002 Charter for the Protection of Young People, or the Dallas Charter, and the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons — proposed by the Catholic Whistleblowers are:

- extending its zero tolerance policy regarding sexual abuse to any cleric, religious or church employee, including bishops complicit with abuse;
- posting to diocesan websites the names of any person affiliated with a diocese with substantial abuse allegations against them;
- and working with state legislators in every state to reform statutes of limitations laws.

The Catholic Whistleblowers, a group of priests, religious and laypeople who support abuse survivors and in several cases reported instances of abuse, outlined their requests in a letter dated April 1, Easter Sunday, and addressed to Cardinal Daniel DiNardo, president of the U.S. Conference of Catholic Bishops. Copies of the letter were also sent to Archbishop Christophe Pierre, apostolic nuncio to the U.S., and all American bishops, both active and retired.

As of mid-April, no bishop had responded to the letter, according to Fr. James Connell, a retired priest in the Milwaukee Archdiocese and a member of Catholic Whistleblowers. The bishops' conference did not respond to multiple NCR requests for comment from it or its Committee for the Protection of Children and Young People.

Contacted through his chancery April 17, Bishop Timothy Doherty of Lafayette, Indiana, chair of the child protection committee, told NCR he received the letter and intended to respond. Having met with Whistleblowers members in November, he described the letter as a summary of their discussions and viewed it "as a reminder of their concerns."

"I would say basically what they've included [in the letter] has been considered and continues to be considered by the committee for the protection of young people but also by the National Review Board," Doherty said.

Since 1983, April is annually observed in the U.S. as National Child Abuse Prevention Month, and is recognized by the White House and U.S. bishops' conference (USCCB).

Beyond noting that connection, the Whistleblowers said that "substantial revisions" to the Dallas Charter and Essential Norms are needed because, in their view, "The crisis and scandal in the Catholic Church caused by clergy sexual abuse of minors and of vulnerable adults continues, and trust in the bishops remains damaged."

Fueling that perception was the public's reaction to Pope Francis' response to abuse allegations in Chile. Connell, a canon lawyer, said the Whistleblowers as a whole are "not impressed at all with Pope Francis' handling of matters related to clergy sexual abuse." He added that while he personally commended the pope's recent actions — sending Archbishop Charles Scicluna to Chile to investigate and Francis' apology letter for "serious mistakes" — those remain mere first steps.

"That the pope is saying something now is better than not saying anything. But, my heavens, he's needs to do much, much more if he's going to do anything to rebuild

trust," Connell said.

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Element of hope, inclusion in revision process

In their letter, the Whistleblowers suggested a revision process of the Charter and Essential Norms be co-chaired by a survivor of clergy sexual abuse and the bishop heading the child protection committee. In addition, all those impacted by the church's abuse crisis "must have an active voice" in the process, they said, and the drafts its produces should be made public and open for discussion and input.

Doherty stated a revision process has been ongoing for a couple of years, outlining a process for any major effort where multiple committees are consulted, and in this case, the National Review Board as well as listening sessions with abuse survivors. "So it's not gathering dust somewhere," he added.

The bishop declined to comment on a possible timeline for completion of the revision process, though he said "the sooner the better is my personal opinion."

It was the bishops' selection of Doherty in November 2016 as chair of the child protection committee that in part prompted the Whistleblowers' letter, a move that provided "an element of hope," Connell told NCR.

He pinned that feeling to Doherty, 67, as the lone bishop who responded to a January 2016 Whistleblowers' letter requesting a Vatican review of the USCCB's sexual abuse policies. The Indiana bishop told NCR he thought that letter "looked to make some reasonable arguments. That doesn't mean that everything could be accomplished, but I thought their heart was in the right place."

After their two-hour November meeting with Doherty, who that month began his three-year term as chair, the Whistleblowers walked away encouraged Doherty might be open to their proposals.

"We are really optimistic," Connell said. "And if we can do anything to help Bishop Doherty move this stuff along, we'll bend over backwards to do it."

Change statutes of limitations, expand coverage

At the top of the Whistleblowers' Charter revision wish list is a commitment from bishops to support reform of states' statutes of limitations, which limit the timeframe when civil cases regarding sexual abuse can be brought to court.

Rather than propose a single model, Connell told NCR the changes in law should be made state by state, and ensure that all people who allege being sexually abused as children have a chance for their day in court, not just those within the Catholic Church.

"We do not have a single vision for how that should be done. But each state should do as they see fit, and the bishops should be supporting it," Connell said.

Another priority is expanding the scope of the Charter and Essential Norms to all priests, deacons, and men and women religious under a diocese's watch, as well as to all bishops. As it stands, the Charter applies only to priests and deacons of a diocese; the Essential Norms covers all priests and deacons working within a diocese or eparchy.

Such an expansion, Connell said, should also see the bishops' zero tolerance policy — that any person with a single substantiated claim of sexual abuse of a minor be removed from ministry — extended in the same way, as well as to church employees or anyone complicit in covering up abuse. The canon lawyer said doing so would allow for better policing and ensuring dioceses are adhering to that standard.

Asked about expanding the scope of the charter and essential norms, Doherty said such an effort might require a wider conversation and different document, in part because the essential norms, as church law, require Vatican approval for any changes.

Other proposals in the Whistleblowers' letter include redefining the term "vulnerable adult" to include people under the influence of alcohol, drugs or intimidation; listing on diocesan websites all names, past and present, of persons with substantiated allegations of abuse; and to allow a broader audit process — including checking compliance with the Essential Norms, verifying proper handling of all allegations, and conducting compliance reviews at the parish level.

"We feel all of it ought to be doable and is important," Connell said.

Some of the proposed revisions repeat requests made of USCCB by the Whistleblowers in past letters. For instance, the 2016 letter addressed concerns about the zero tolerance policy and urged for extended parish-level audits.

The Dallas Charter and Essential Norms were originally adopted in June 2002, in the wake of the nation's clergy sexual abuse crisis set off by The Boston Globe's investigation into abusive priests in the Boston Archdiocese. Together, the documents outline the procedures for dioceses to take in addressing allegations of child sexual abuse within the church.

The Charter has been revised twice, first in June 2005 and again in June 2011. A revision of the Essential Norms was approved by the bishops in June 2005 and was promulgated in May 2006. A Statement of Episcopal Commitment, which spells out ways in which bishops will attempt to hold one another accountable under the Charter, was last revised in 2011.

That statement is insufficient, Connell said, who argued that the Charter and Essential Norms should explicitly state that bishops fall under its jurisdictions.

"This is about protecting children and young people and vulnerable adults, and there's no reason why the bishops should exclude the bishops. They should put themselves under it," Connell said.

Doherty, asked about the bishops' omission from the charter and the essential norms, pointed to directives and statements from the Holy See, including Francis' recent apology letter to Chile, as indications that bishops will be held accountable on the abuse issue. "But I would have to agree with them and say that that could be a shortcoming," he told NCR.

In recent years, the head of the National Review Board Francesco Cesaro has warned bishops of tendencies toward "complacency" and "charter drift."

At the bishops' 2015 spring meeting, Cesaro offered eight suggestions of his own to revise the charter. Among them were strengthening the concept of "fraternal correction" in the statement on episcopal commitment, requiring parish audits and requiring all allegations be brought before diocesan review boards.

The 2017 audit, covering July 2015 to June 2016, reported 27 minors brought abuse claims to local authorities in that span. "Such allegations," the audit said, "serve to

remind us that we cannot become complacent. We must be ever vigilant in our parishes and schools. One act of abuse is one too many."

The 2018 audit is expected to be released before the bishops' mid-year meeting in June.

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